Moynihan on the Strange Death of the Liberal Arts

NATIONAL REVIEW

ILKEN: AMERICA'S DREYFUS?

NOV 19

HONEY, WE SHRUNK THE PARTY!

THE TWO BOBS – MICHEL and DOLE, SIDE BY SIDE

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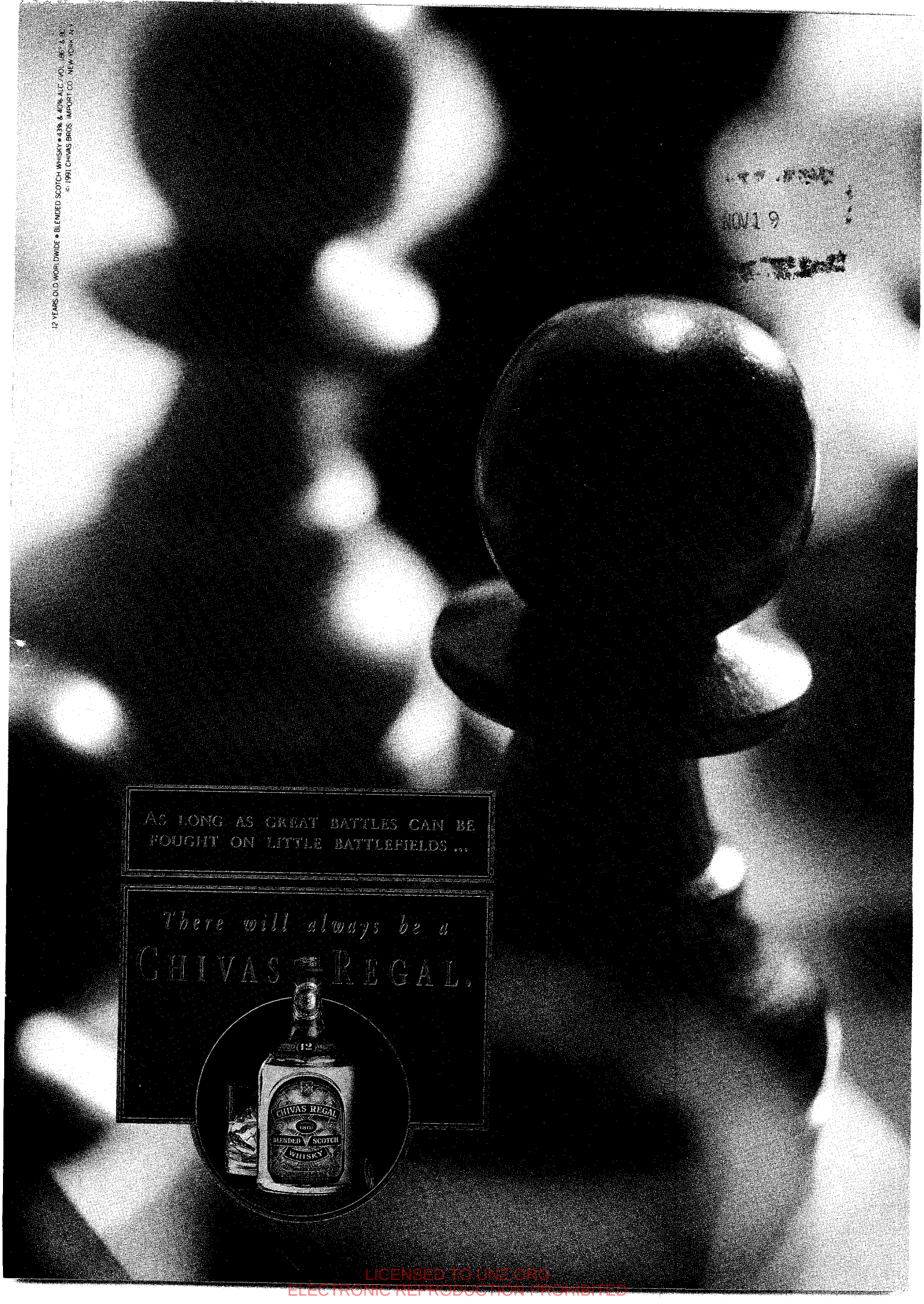
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NATIONAL REVIEW

DECEMBER 2, 1991 VOL. XLIII, NO. 22

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The Audit Bureau

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LETTERS

Look at Japan

Neal B. Freeman's review of *Watching America* by S. Robert Lichter, et al. ["The Wasteland," Oct. 7] emphasizes the book's findings about the peculiar social messages conveyed by prime-time television: 89 per cent of the time businessmen are corrupt, government officials are obstructionist, sex is interesting only outside marriage, and minorities do no evil. Mr. Freeman concludes by wondering to what extent these messages get through to the American public and gently berates the authors for not answering this question.

May I hazard a speculation based on the Japanese example? Board a commuter train in Tokyo and you'll notice arch-respectable businessmen reading telephone-book-sized comic books filled with the raunchiest and most violent sexual exploits. And Japanese television so wallows in imbecility, it makes American programing look mighty good.

Yet all this mayhem on page and screen has little social effect in Japan; individuals remain highly repressed, society is well ordered, crime rates stay low. The reason? The Japanese reader and viewer do not confuse diurnal reality with their fantasy lives of corruption, violence, and sex. On the contrary, the latter seem to serve as a diversion which makes the maintenance of rigid personal control easier to accomplish.

Perhaps the same is true in the United States, and the fantasy world of popular culture is innocuous, if not charming. The high incidence of crime has nothing to do with television; the profusion of murders on television may serve as a release rather than a stimulant. (For adults; children are another matter.)

Perhaps we can all lighten up a bit and stop worrying about the contents of television drama. At the same time, we should look for the sources of crime elsewhere—such as the uncivilized streets.

Daniel Pipes
Director
Foreign Policy Research Institute
Philadelphia, Pa.

History and the General

Thank you for publishing Doug Bandow's review of Alan Nolan's book, *Lee Considered: General Robert E. Lee and Civil War History* ["The Marble Man," Oct. 21]. An old Virginia gentleman, Dr. George Bagby, once observed that "This mediocre age, which sneers at honor, naturally enough decries greatness," and thus it was no surprise to see the need for Mr. Nolan to wield a sledgehammer against "the marble man." Latter-day historians, such as this lawyer from Indianapolis, can give us their latter-day interpretations of Marse Robert, but the Reverend J. William Jones, in his *Personal Reminiscences of General R. E. Lee*, has told us who he was, and that "they who decry him do but belittle themselves."

H. V. Traywick Jr.
Deltaville, Va.

On Drugs

Your magazine sold us space for a full-page ad saluting the 1991 winners of our annual achievement awards [Sept. 23]. We never assumed that your sale of the space carried with it some form of approval by the magazine for the content of our message.

As the center of the loyal opposition to the drug war, we have discovered that some of our strongest supporters are conservatives. Often these are people of means who make significant tax-deductible contributions to us every year. We want more of them; hence the ad.

William Bennett should not be too hard on his fellow conservatives for taking this position ["Letters," Oct. 7]. They have seen that most of the billions of our tax dollars that he helped spend on the drug war had no impact. In addition, many conservatives (and libertarians) oppose the drug war because it provides for maximum government and minimum individual freedom. These conservatives have greater faith in the free market and free citizens than in the authoritarian precepts of czars.

So do many of our award winners. Nobel Laureate economist Milton Friedman, the leading capitalist theorist of the twentieth century, has advocated legalization for decades because of the crime and corruption prohibition inevitably breeds. The Honorable Robert W. Sweet concluded legalization was necessary after more than twenty years of facing the problem up close, as deputy mayor of New York and as a federal judge watching his courtroom become the equivalent of a military tribunal for the war on drugs. Police Chief Nicholas Pastore of New Haven recognized in his thirty-plus years in law enforcement that bashing heads and locking people up did nothing to solve the drug problem.

Mr. Bennett has always tried to wish away criticism of the drug war. He has consistently refused to openly debate me or to appear at any DPF functions. Indeed, he refused to appear on William F. Buckley's special *Firing Line* legalization debates. If, however, he wants to come out from hiding and face us in a fair debate, we hereby offer him a spot on our television series, *America's Drug Forum*, and an invitation to our International Conference on Drug Policy Reform in Washington, November 13–16.

Arnold S. Trebach
President
Drug Policy Foundation
Washington, D.C.

I have debated the issue of drug legalization back and forth across the country for two years. Nevertheless, I despair of being able to persuade people at the Drug Policy Foundation of the merits of my argument because the DPF does not abide by standards of evidence. The DPF refuses to acknowledge what almost every drug-use indicator confirms: America is winning the drug war. Progress is being made faster in some places than in others, but if we persist in our efforts the number of people using illegal drugs will continue to go down, as it has in the last three years. Legalizing drugs would undo all the good that has been achieved and send a terrible message to our children. The most recent good news on the drug front comes from New York City, where marijuana, once available for $20 or $30 an ounce, is now selling for as much as $800 an ounce—more than twice the price of gold. The national trends of lower drug use, declining addiction rates, higher prices, and strong anti-drug sentiments are an encouragement to most *Americans.*

The Drug Policy Foundation's total unwillingness to concede facts *makes them unsuitable participants in a serious dialogue; they are undeterred by what Thomas Huxley called "the tragedy of a fact killing a theory." They may go on speaking to themselves forever. Or they may wish to join forces with the Flat Earth Society and consider with each other, in perpetuity, both theories.*

—WJB

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FROM THE EDITOR

Public Truths

■ Every schoolboy knows—as Macaulay used to say in happier times when schoolboys did know such things—that there were four crowned heads (and five lesser monarchs) at Queen Victoria's funeral.

Well, there were five Presidents—Reagan, Bush, Carter, Ford, and Nixon—(and six First Ladies) at the dedication of the Ronald Reagan presidential library in the Simi Valley. It was, in short, a historic occasion.

All the Presidents acquitted themselves well. Of course, no speaker is on oath when he pays a public tribute to a rival. Jimmy Carter's speech, spiced with self-deprecating wit, may have been pardonably insincere.

But the succession of tributes pointed up a curious paradox: Ronald Reagan gets his due only in such formal accolades. He is barely treated with civility by the media. Yet what would be extravagant praise for most people is the unvarnished truth when applied to Mr. Reagan.

Richard Nixon put it simply and well: "Thirty-two years ago in Moscow, Soviet Premier Nikita Khrushchev jabbed his finger into my chest and said, 'Your grandchildren will live under Communism.' I replied, 'Your grandchildren will live in freedom.'

"At the time, I was sure he was wrong. I was not sure I was right. Now we know.

"Thanks in great part to . . . Ronald Reagan, Khrushchev's grandchildren now live in freedom."

A simple truth, but one too complicated for the "mainstream media."

■ As if to demonstrate this, the *New York Times* celebrated the dedication by quoting that day's *Los Angeles Times* poll as follows: "Fifty-seven per cent rated Mr. Reagan either average or below average, while 28 per cent considered him above average or the best President. Fifteen per cent rated him the worst President."

In fact, these were not the poll's findings—no question asked, for instance, "Do you rate Mr. Reagan either average or below average?" They were the *Times*'s hostile aggregation of the findings. The actual results were: Best, 8 per cent; above average, 20 per cent; average, 39 per cent; below average, 18 per cent; and the worst, 15 per cent.

A newspaper biased toward Mr. Reagan would presumably report the poll thus: "Fify-nine per cent rated Mr. Reagan either average or above average, while 33 per cent considered him below average or the worst President. Eight per cent rated him the best," etc. The trick is to appropriate those rating him "average" for your side of the argument. Dishonest, of course, but in its way heartening that, after all the hostile disinformation of the past 11 years, the liberal press still has to resort to statistical sleight-of-hand to belittle Mr. Reagan.

■ I am sorry to report that Brad Miner, our Literary Editor, will start the New Year by resolving to return to book publishing. He came to *NR* after a distinguished career there—he was, among other bracing tasks, Sidney Hook's editor—and his inside knowledge of the industry added spice and sharpness to "Random Notes."

In his two-and-a-half-year tenure, he gave us memorable book reviews; he wrote pointed editorials for "The Week"; and he fostered the highly successful *National Review College Guide* (which he wrote and edited with Charles Sykes) and the forthcoming *Art of Persuasion*, by Linda Bridges and William Rickenbacker.

He leaves us to produce books, to raise his children, and, happily for New York, to act as consultant to *NR* Board Chairman Evan Galbraith, who is pondering a run at the governorship. Brad's last "Random Notes" appears in this issue, but he will continue to write for *NR*. We will miss his professionalism and his invariable good humor, and we wish him well.

—JOHN O'SULLIVAN

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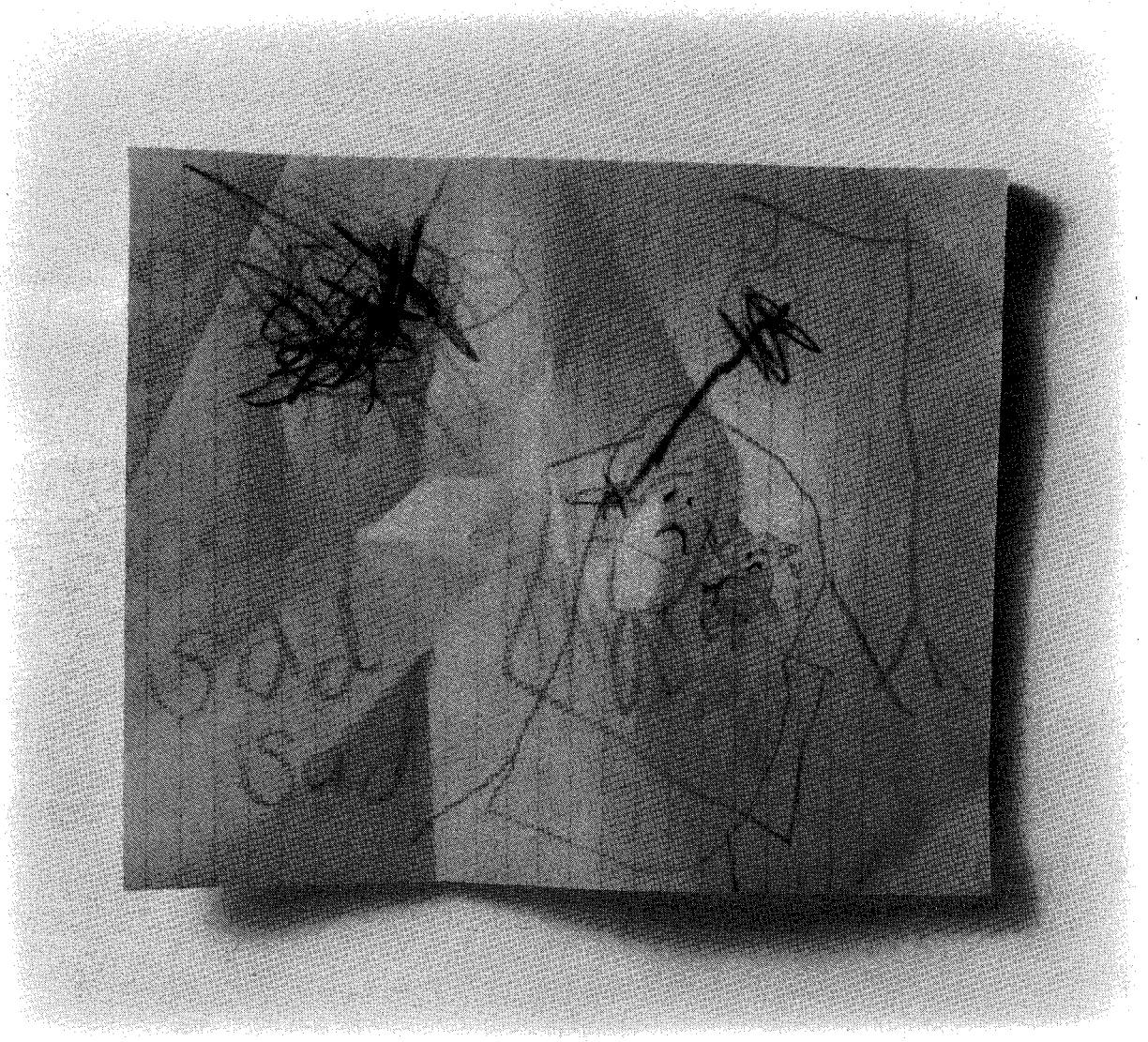

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FOR THE RECORD

■ As the nation waited for **Mario Cuomo** to make up his mind, considerable Cuomo-bashing was going on in the press. *Washington Post* columnist **David Broder** pondered whether there was anything to Cuomo but rhetoric, and listed some major political negatives: 1) Cuomo is unpopular at home (polls show New Yorkers prefer **George Bush** to Cuomo, 56 to 31 per cent); 2) he's on bad terms with both Albany legislature and press; and 3) he knows nothing of foreign affairs and seems uninterested in broadening that horizon. (Broder cites *New York Times* story that in nine years as governor Cuomo has "spent only 36 nights away from the Executive Mansion.") . . . *Christian Science Monitor* political analyst **Everett Carll Ladd**, of the Roper polling organization, says "it needs to be remembered that with the exception of his 1986 gubernatorial race, Cuomo has not run well in his previous campaigns for office," and cites his less-than-landslide victories over political neophytes **Lew Lehrman** and **Pierre Rinfret**. Ladd also points out that **Michael Dukakis** was relatively popular back home when he ran for President, while Cuomo is not. "There is simply no evidence that Cuomo has captured the public imagination," he concludes. . . . Republican political operative **Roger Stone** adds: "Dukakis ran on the Massachusetts miracle. Cuomo would have to run on the New York nightmare." . . . *Boston Globe*'s **Martin Nolan** calls Cuomo "**Hamlet** on the Hudson." . . . Lacklusterness of Democratic presidential effort can be summed up by FEC figures. FEC reports by end of September the six Democratic candidates had raised a total of $2.2 million. By same date in 1987, *each* of the five Dems in race had raised that much; Dukakis had more than $8 million. . . . How're the candidates doing? Sen. **Tom Harkin** (Iowa) proudly announces that **Roseanne Barr** will campaign for him in Iowa. . . . **John Bunzel** comments that his fellow Californians are not sure former Gov. **Jerry Brown** "has solved the re-entry problem." Some polls show Brown topping the Democratic list. . . . And Virginia Gov. **Douglas Wilder** took a severe hit in Nov. 5 voting as GOP made sweeping gains in both Virginia Senate and General Assembly. Little noticed, that Wilder approval rating had slipped to 30 per cent once he started spending one out of every three days out of state campaigning for Presidency.

■ About those hard-to-read elections, *Washington Post* columnist **William Raspberry** may have put his finger on what happened. "Every now and then," he says, "the voters throw a tantrum and toss out good guy and bad guy indiscriminately. 'Look at me!' they shout. 'Pay some attention to the things I'm interested in, or get out of my life.'" . . . **Ronald Reagan**'s former political director **Ed Rollins** warns George Bush that there's a big lesson to be learned from Nov. 5. He thinks GOP could lose White House "unless people start focusing on the issues that matter to people, and that's the economy, the economy, and the economy." . . . In midst of evident political discontent, there's growing talk of possible challenge to Bush from the Right in presidential primaries. Names most often mentioned are **Pat Buchanan** and, since his public break (*Face the Nation*) with official White House policy on tax cuts, HUD Secretary **Jack Kemp**.

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"That's ruined your chances of becoming a U.S. Supreme Court Justice."

■ Other election sidelights. Omitted from most reports on Democratic Sen. **Harris Wofford**'s stunning come-from-behind victory over former Attorney General **Richard Thornburgh**, fact that Wofford, like his sponsor, Pennsylvania Gov. **Bob Casey**, is pro-life. . . . Communist *People's Weekly World* attributes size of Wofford win to major turnout by organized labor in Pennsylvania: phone banks, door-to-door canvassing, fundraisers, mailings, etc. . . . On pro-life front, Virginians elected to state Senate **Robert G. Marshall**, author of anti-abortion *Blessed Are the Barren*. . . . And in Louisiana, a major factor in rejection of Democrat-turned-Republican Gov. **Buddy Roemer** was Roemer's angering of conservative Roman Catholics by his veto of an anti-abortion bill.

■ Some votes for the record: The five Republican senators who held the line on civil rights and voted against the Bush–**Kennedy** so-called compromise bill were: **Daniel Coats** (Ind.), **Jesse Helms** (N.C), **Robert Smith** (N.H.), **Steve Symms** (Idaho), **Malcolm Wallop** (Wyo.). . . . Only two Republicans to vote against **Clarence Thomas** were **James Jeffords** (Vt.) and **Robert Packwood** (Ore.). . . . On **Robert Gates** confirmation: Democratic presidential candidate Harkin voted no; candidate **Bob Kerrey** (Neb.) was not present: out campaigning. **Claiborne Pell** (D., R.I.), chairman of Senate Foreign Relations Committee, surprised many by voting yes, as did Sen. **Patrick Leahy** (D., Vt.). Connecticut Democrats split, with **Chris Dodd** voting no, **Joseph Lieberman** yes. . . . Dodd may be in big political trouble. Latest *Hartford Courant* poll shows 41 per cent of respondents think Dodd should be replaced next year.

■ It's political slogan time again. One of the best, the Louisiana bumper sticker **David Brinkley** displayed on *This Week*: "Vote for the Crook: It's Important."

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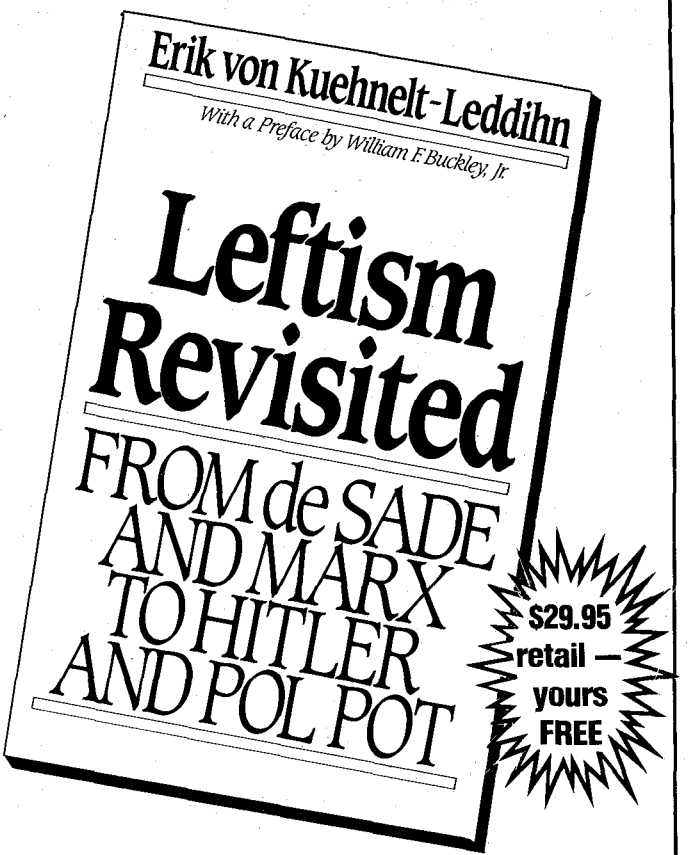
Landmark study of liberalism

Where it comes from. The many faces it wears. And why it is still the menace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With a Preface by William F. Buckley, Jr.
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"Communism isn't the enemy," observed Malcolm Muggeridge. "Liberalism is the enemy."

When Muggeridge said that, Communism was riding high. Now Communism is in crisis, while liberalism continues to choke religion and civilization. Muggeridge saw the heart of the problem. Communism was an external threat; liberalism not only corrupts from *within*, but also masquerades as *something good*.

Erik von Kuehnelt-Leddihn is of the same mind. He sets his sights on the Left *in all its manifestations*. He's been doing that for 60 years. The range of his reading, his travel, his vision carries him across the globe, and across the centuries. The world is truly his oyster.

And now, the new book that William Buckley rightly calls "his masterpiece." Adds conservative columnist Joseph Sobran: "I despair of doing justice to the book's wealth of oddly enlightening fact, the harvest of long experience, reading, and travel."

Precisely. Kuehnelt-Leddihn's view of the Left, in all its guises, is at once so particular and detailed, and at the same time so sweeping, that reading him is a unique experience, mind-opening. Max Eastman captured the feeling perfectly after reading one of his earlier books: "Amazing! Reading it is like going to college and graduate school all over again."

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THE WEEK

■ As we go to press, Mario Cuomo may or may not be on the verge of announcing his bid for the Presidency. He has, however, made clear that if he does, it will be because he believes this country needs decisive leadership.

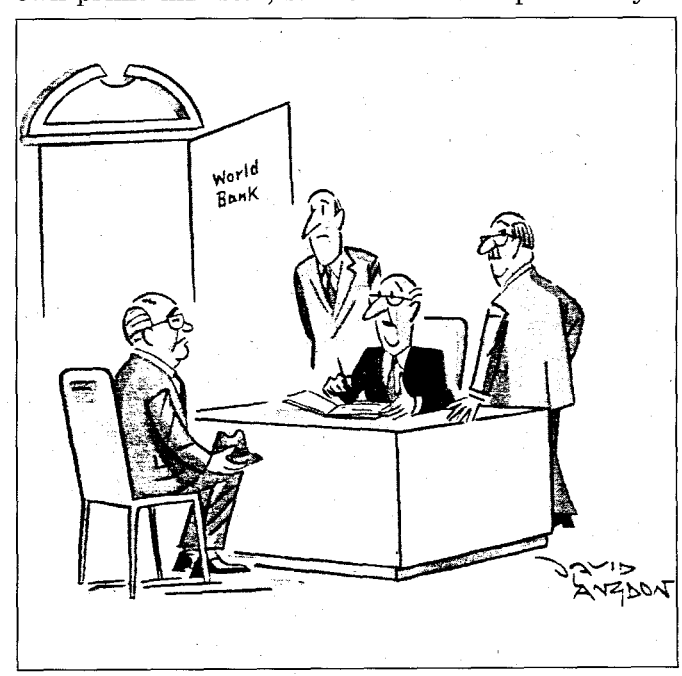
■ The mind of this Administration might not seem to be worth the bones of a single speechwriter, to paraphrase Bismarck, but Dan Quayle and Jack Kemp are making the effort. At issue: whether Bush should call for a growth package of tax cuts. Quayle and Kemp say he should, and do it now (if he waits until the State of the Union, he will have zero credibility). Their colleagues—Darman, Sununu, Brady, and (so far) the President—will have none of it. Kemp has gone public with his dissent, calling the fight "a friendly argument." What's friendly about it? The economy is in the tank, and the GOP is joining it. In the void of Bush's economic policy, weird growths, like David Duke, flourish. Quayle is prohibited, *ex officio*, from carrying the argument further. But if he and Kemp lose, the best course for Kemp would be resignation from his HUD post, allowing him to consider whether to join what looks to become a mob of Republican primary candidates in New Hampshire.

■ As part of the civil-rights deal, Republicans thought they had got the Democrats' agreement to an exemption for the Wards Cove Packing Co. The company, after all, had won eight court cases in litigation that had taken twenty years and cost it a small fortune, the final result being a Supreme Court decision shifting the burden of proof from employers to plaintiffs claiming discrimination on the basis of statistical imbalances. The exemption was knocked out inadvertently, and when Republicans complained to George Mitchell, he tried to put it back—only to be blocked by Senator Brock Adams (D., Wash.). It seems that Senator Adams's old law firm of Garvey, Schubert, and Barer (formerly Garvey, Schubert, *Adams*, and Barer) has been representing the plaintiffs bringing the action against Wards Cove, asking almost $20 million in damages. If Wards Cove were sued again successfully, the law firm would stand to collect a sizable chunk of that money in contingency fees. We might raise our eyebrows if it weren't for the burden of proof.

■ On November 26, Senator Robert ("I hope to become West Virginia's billion-dollar industry") Byrd (D., W.V.) goes to Martinsburg for ceremonies opening . . . not the $185-million FBI Identification Center in Clarksburg, not the $27-million occupational-safety laboratory in Morgantown, not the $22-million National Technology Center in Wheeling, but just the millon-dollar Computer Operations Center—*for the Coast Guard*. We hope he invited along the Swiss Naval Attaché.

■ Capital gains with a twist. A late entrant into the national tax-cut competition—a joint effort by Senator Bob Kasten and Representative Vin Weber—calls for cutting the top capital-gains tax rate to 15 per cent, with a 7.5 per cent rate "*for lower-bracket individuals*." Nearly 30 per cent of capital-gains-tax payers in 1989 had gross incomes of $25,000 or less; 57.9 per cent were below the $50,000 level. Many of these are elderly men and women, hoping to retire on the capital gains they've realized from selling stock or other assets. So cut the rates, and dare the Democrats to call it welfare for the rich.

■ Boris Yeltsin knows one thing that no one in Washington seems to, which is that a leader must spend his political capital at crucial moments, rather than husband it, like a magpie guarding a hoard of old zip-tops. He has accordingly ended wage and price controls, stopped Russian subsidies for costly, Communist-dominated Soviet ministries, and called for widespread privatization. He has gotten the power to name local officials, thus end-running small-fry apparatchiks. Finally, he has become his own prime minister, so that all the responsibility—



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"We have a problem with this aid check. Who do we make it payable to—USSR, Soviet Union, Commonwealth of Russia . . . ?"

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A view from Washington

Nuclear Waste: Steady Progress to a Known Solution

Americans live in fast forward. We prize quick results and easy answers, fast food and instant gratification. I sometimes wonder if we are losing our capacity to understand and manage complex issues and difficult problems that demand steady, persistent, long-term attention.

This certainly seems to be true of nuclear waste.

I cannot count the number of people who have told me that they would gladly support construction of new nuclear power plants to meet our growing need for electricity...if only we knew what to do with the nuclear waste.

The fact is, we have known what to do with nuclear waste for over 30 years, long before the world's first nuclear power plant started up at Shippingport in Pennsylvania, in the late 1950s. We knew then that we would isolate the waste deep underground, in stable rock formations, locked away behind carefully engineered barriers, and monitored to ensure that radioactive material does not escape.

Thirty years of study and analysis have confirmed the wisdom of this approach. It is endorsed without question by leading independent scientific organizations around the world, including the U.S. National Academy of Sciences, the American Physical Society, the International Atomic Energy Agency, the U.S. Environmental Protection Agency, and the Congressional Office of Technology Assessment. "There is no scientific or technical reason to think that a satisfactory geological repository cannot be built," said the National Academy of Sciences' National Research Council last year. "There is a strong worldwide consensus that the best, safest long-term option for dealing with high-level waste is geological isolation."

Where does the U.S. nuclear waste program stand? In 1987, Congress ordered the U.S. Department of Energy to conduct a comprehensive scientific evaluation of Yucca Mountain, a remote spot in the Nevada desert, as a possible site for safe, permanent nuclear waste disposal. Yucca Mountain seems to have the necessary requirements. It's isolated. The climate is arid. And the area seems geologically stable.

The Energy Department is conducting a massive scientific investigation of Yucca Mountain, which will determine whether it is a suitable site for nuclear waste disposal.

This may be the most comprehensive, careful and systematic assessment of a piece of real estate ever conducted. It will require 10 years of on-site and laboratory investigations and analyses, cost more than $4 billion, and involve some 500 scientists and engineers. And at every turn, the scientific work is monitored by independent agencies, including the National Academy of Sciences, the Nuclear Waste Technical Review Board (an independent group of experts appointed by the President), the U.S. Nuclear Regulatory Commission, the Environmental Protection Agency, the General Accounting Office and the state of Nevada.

If the scientists conclude that Yucca Mountain is suitable for nuclear waste disposal, we can all have complete confidence in that decision, and in the process that produced it.

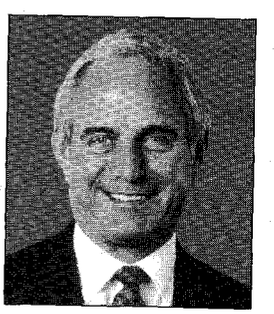
It is true that the U.S. nuclear waste program and the work of Yucca Mountain have experienced setbacks. The Energy Department did not have a permanent director for the program from 1987 until 1989, and this lack of leadership caused delays. The Department's choice of a contractor to manage the program day-to-day was challenged in court, which led to further delays. And the state of Nevada has delayed the scientific work at Yucca Mountain, by refusing to grant necessary permits.

Fortunately, the Energy Department program now has a permanent director and a prime contractor, and all the state's challenges have been struck down in court. The U.S. nuclear waste program is now firmly on the right track.

Let us remember that periodic setbacks are almost inevitable in any program as lengthy as this one. There will probably be occasional reversals in the years ahead, but ingenuity and persistence will overcome those, too.

Nuclear waste disposal is a serious undertaking. It deserves careful, methodical treatment. This is no place for quick and easy answers. You cannot see a glacier's movement with the naked eye, but that does not mean the glacier isn't moving. The process of evaluating possible sites for nuclear waste disposal is slow because it should be deliberate and careful. Progress will not always be visible from day to day, or even from year to year. But don't make the mistake of assuming there is no progress.

Phillip Bayne
President and CEO
U.S. Council for Energy Awareness



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and all the potential for blame—rests on his shoulders. Sticking to this program during the winter will make climbing on a tank look easy. Fortunately, it will be Yeltsin doing it and not, say, Nick Brady.

■ This weekend Americans awoke to front-page photographs of 59 desperate boat people being forced back to Hanoi from Hong Kong, many of them kicking and screaming, all of them in tears. Although Britain had been talking repatriation for years, this is the first new batch to be sent back since December 1989, when a similar repatriation effort provoked an international storm. Indeed, British officials have blamed America among others for creating the boat people (the destruction caused by the war, the trade embargo, etc.) and holding up a solution. This of course is nonsense. The reason Vietnamese take to the seas in their rickety boats is Vietnamese Communism, which like Communism in other societies has a great capacity for setting off a mass exodus. Indeed, Mr. Martin Lee, Hong Kong's answer to Boris Yeltsin, pointed out in his just-ended trip to Washington that the British every day forcibly repatriate the brothers and sisters of Hong Kong people back to China. Instead of putting the blame on the boat people for leaving, we'd be much better off putting it—and our pressure for democratic reform—where it belongs: on Communist Vietnam.

■ A longtime *NR* reader and supporter, Mr. Elmo Crump, thinks that the Russians need any help they can get, especially from conservatives, and so he is offering a $1,000 prize for the most convincing plan to privatize property in the USSR. As Mr. Crump puts it, "I believe the basic problem confronting the new Soviet society is how to privatize the ownership of property including homes, apartments, factories, shops, and farms. After over seventy years of Communism, not only is foreign investment needed but also an imaginative and sensible plan to transfer private property to private ownership." Please send your proposal to: National Review Privatization Contest, 150 East 35th Street, New York, N.Y. 10016. Entries must be postmarked no later than December 15, 1991.

■ Following another of those great Kennedy traditions, lawyers for William Kennedy Smith are looking for someone to take the blame. Family fallguy Joe Gargan wasn't anywhere near Palm Beach at the time of the alleged rape. Peter Lawford is dead. Arthur Schlesinger? Nah. That leaves . . . Uncle Teddy. "People say that if Ted was drinking that night it would affect Will's behavior. What do you think about that?" Smith's attorney asked several prospective jurors. "Jean Smith blames Ted's lifestyle for getting her son into serious trouble," explained an observer. "The choice became whose career to save." The "bad influence" may not like this strategy, but he can at least take pride in his family's carrying on the tough-minded crisis-management style of Jack and Bobby.

■ David Von Drehle of the *Washington Post* observes that the Washington-state referendum that rejected a proposal to legalize doctor-assisted suicide may just be an initial and temporary setback to an idea whose time has come. He characterizes that idea in a haunting phrase: "the death revolution." Human life has lost the sanctity Western law had accorded it for 15 centuries. Abortion is legal; infanticide is up for discussion; suicide, euthanasia, and some borderline forms of plug-pulling have widespread public support. All of which makes it clear that the real issue in abortion is not, and never was, the supposedly "religious" question of just when life begins, but the broader question of whether human life has any intrinsic value at all.

■ Yves Montand—singer, dancer, actor, songwriter, political activist—was best known in this country for having slept with Marilyn Monroe. "I was crazy about my wife, but what can you do?" he later explained to an interviewer, throwing himself on the mercy of the public. With his wife, Simone Signoret, he moved from generic French leftism to militant anti-Communism, winding up an outspoken admirer of Ronald Reagan and Margaret Thatcher. Most recently he had scored as a character actor in *Jean de Florette* and its sequel, *Manon of the Spring*. When he died of a heart attack at seventy, France lost its Bogart and Sinatra at the same time.

■ The Duke–Edwards race calls to mind a bumper sticker we saw in California: "If God had meant for us to vote, He would have given us candidates."

The Bush Referendum

WHEN Republican leaders gathered in the Cabinet Room just before the elections, neither President Bush nor the two top Republicans in Congress (see "The Two Bobs," p. 34), even mentioned the economy—much less a growth package that would get it moving again. And when Richard Thornburgh went down to defeat in Pennsylvania, all the President could do was mutter about Pennsylvanians' interest in health care.

Not many people can blow a 44-point lead. But if anyone can do it, it will be a Bush Republican. In contrast to Ronald Reagan, Bush has yet to show any coattails at election time. Indeed his reneging on taxes turned a predicted gain in the House last year into a nine-seat loss, just as his embrace of the quota

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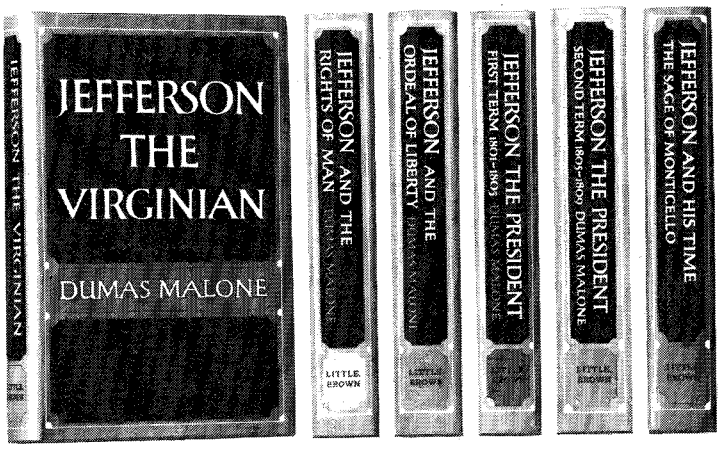

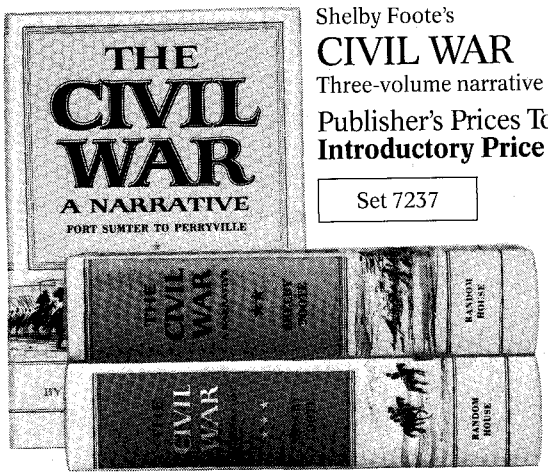

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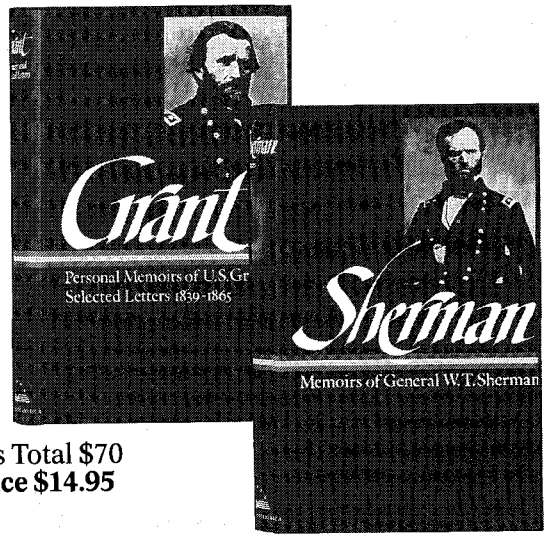

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bill turned David Duke into a threat. Democrat Harris Wofford made his campaign against Thornburgh a referendum on Bush. With polls indicating that most Americans agree the country is on the wrong track, this wasn't hard to do.

Although the outcome in New Jersey was different, the message was much the same. There Republicans turned the campaign into a referendum on Governor James Florio and his tax-hiking Democratic legislature, and won a veto-proof majority as a result—arguably the largest shift in a major state in years. Similarly, Kirk Fordice became the first Republican governor in Mississippi since Reconstruction, campaigning hard on the school-choice and term-limits issues, to which Bush has given only lip service, as well as on the quota issue, which Bush outright abandoned. The unifying trend in all this is that the voters are making their choices on *issues*, not party affiliation—and woe to the candidate who does not have something real to offer.

And yet, following the Thornburgh debacle, Republicans are whining about the "negative" campaign. True enough, it's unlikely that Senator Wofford would have won without the hard-hitting ads run by the Louisiana-born James Carville. But just as Dukakis lost because of Dukakis and not because of Willie Horton, what defeated Thornburgh was not Wofford's campaign manager but Thornburgh's own lack of a message. As Mr. Carville was quoted as saying in the profile of him in *NR* ["On the Scene," July 29], when a candidate cannot respond to a negative ad, that in itself tells the voters something.

If the White House has not got the message, the Democrats certainly have. Wofford said that his election was "going to be the first day of the end of the Bush Administration," and Democratic Party Chairman Ron Brown chimed in by saying that Wofford "ran the kind of campaign we want to run in '92." In recent days the President has been attacking Congress hard as a privileged class. As the results in Pennsylvania show, however, if the White House continues with its same-but-less strategy—signing off on every Democratic initiative from clean air to quotas—Bush will have a hard time getting voters to distinguish between him and Congress.

Quick, George, a Tax Cut!

As Darman counsels leeches
  And Brady bleeds a vein
While, flying home, Sununu
  Repackages the pain,
The President continues
  To call it *mal de mer*,
Though wheezing respirators
  Suggest Intensive Care.

W. H. VON DREELE

On the Road

SOMETIMES we wish the President would have the courage of his convictions (sometimes not). When there is important business to be conducted on a foreign trip, he should do what is in the national interest, not concede the Democrats' frivolous arguments that he should stay home.

The American public would respect his principled refusal to bow to a passing populist clamor, even if they did not like it; they will see the cancellation of his trip to Japan as electoral panic. And anyway the critics' isolationism is an error to be refuted, not a model to be emulated. The President was right to go to the NATO summit—and wrong to cancel his trip to Japan.

No relationship will be more important in the 1990s. Even from the point of view of domestic politics, it would have been smart for Bush to demonstrate his mastery of the relationship, his ability to work with the new Japanese prime minister, and his determination to fight for the right of American workers to export to the lucrative Japanese market. (Indeed, Kiichi Miyazawa had some concessions in his pocket.) Here, too, irresponsible nationalist forces on both sides are threatening to tear the political ties asunder. This is dangerous. What has kept Japanese economic power from posing a security problem all these years is the tight defense link with the United States. Nothing could be more destabilizing in the Asia–Pacific region than a severing of these political ties. The President needs to champion this truth at home—and in Japan.

The October Bore

THE October Surprise was the subject of cover stories in both *The New Republic* and *Newsweek*, timed to precede the publication of a book by former Carter aide Gary Sick.

This is the October Surprise theory: that the Reagan campaign colluded with Iran to delay the release of the hostages until after the 1980 election; that William Casey—then campaign manager, later head of the CIA—went to Madrid in July to negotiate the deal; and that George Bush went to Paris in October to nail it down. Originally floated by Lyndon LaRouche and dismissed in a footnote by the House–Senate Iran–Contra committee, the theory remained the preserve of the loony Left—until Mr. Sick became a believer. *Frontline*, *Nightline*, the *New York*

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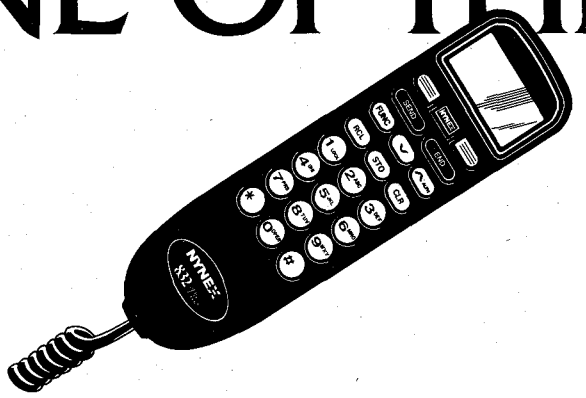

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Times, and other major media organs all climbed aboard.

But according to *Newsweek* and *The New Republic*, Mr. Sick had better send his book straight to the remainder shelves. They destroy the credibility of the October Surprise witnesses. They also prove beyond any reasonable doubt that when Casey was supposedly in Madrid, he was actually in London, and that when Bush was supposedly cloak-and-daggering in Paris, he was campaigning in America.

The two articles, in short, confirm what Richard Brookhiser wrote in NATIONAL REVIEW months ago (see "The Prequel," May 27). This is not to scant the industry of the journalists publishing now. That deserves praise both for itself, and because it had become necessary to refute in detail a series of allegations that had been widely accepted by the mainstream media. What we would question is the integrity of a journalistic culture which requires such elaborate refutation of an obviously absurd and mendacious story. The charlatans and psychos who duped Sick had been given a free ride by newspapers and television, partly from a partisan desire among liberal journalists to discredit the Reagan era, and

RIGHT DATA

Middle-Class Malaise

ACCORDING to official economic statistics, the recession started in July 1990. For the typical middle-class family, however, federal taxes have been producing a "recession" in living standards ever since 1987:

INCOME AND TAXES OF THE MEDIAN TWO-EARNER FAMILY
(1991 Dollars)

	Gross Income	Federal Taxes: Income Tax	Federal Taxes: Social Security	Federal Taxes: Other	After-Tax Income
1981	$47,998	$6,532	$3,192	$3,842	34,432
1987	53,086	6,306	3,795	3,943	39,042
1989	53,606	6,576	4,026	4,165	38,839
1990	53,883	6,762	4,122	4,290	38,709
1991E	53,265	6,493	4,075	4,350	38,347

Source: Tax Foundation

From 1981 to 1987 the typical American household—two earners employed full time, with two dependent children—enjoyed an 11 per cent rise in gross income, from $47,998 to $53,086 in 1991 dollars. After paying federal taxes this family was left with $39,042 in 1987, a healthy 13 per cent more purchasing power than it had had at the start of the Reagan Administration.

That was the peak of the boom for them. Although income continued rising, it was outpaced by federal taxes. In 1991, according to Tax Foundation estimates, this family will have $695 less after-tax income than four years earlier.

Interestingly enough, in real dollars, the family pays less income tax now than it did in 1981. But the Social Security tax rate has been increased six times since 1980, from 6.13 per cent to 7.65 per cent, and the level of earnings to which this tax is applied has rocketed from $25,900 to $53,400. Combined income and Social Security taxes absorb 19.8 per cent of the family's income in 1991, down only slightly from the 1981 peak of 20.3 per cent.

The "other" category reflects taxes that are passed on to consumers by business. The 1990 budget agreement increased many of these indirect taxes, including excises on gasoline, cigarettes, beer, and wine. In 1991 these taxes are expected to absorb a record 8.2 per cent of the family earnings.

In reality, the middle-class squeeze may be far more serious than shown here. After borrowing heavily during the Eighties, the average American family now devotes 10 per cent of total spending to interest payments, up from 7 per cent in 1980. (Homeowners typically spend over 40 per cent of gross income on mortgage payments.) Day-care expenses are, on average, equal to 20 to 30 per cent of the wife's earnings. State and local taxes have risen even faster than federal revenues, and will take an additional $5,273 from the two-earner family in 1991.

Out of each dollar of income, this family pays an average of 37.9 cents in combined federal, state, and local taxes, and spends 16.7 cents on housing, 11.4 cents on food, 9.1 cents on health care, and 7.5 cents on transportation. This leaves only 17.4 cents of each dollar for clothing, recreation, and other discretionary spending.

At that, the two-earner family is doing comparatively well. Its income—$53,883 in 1990—was 50 per cent higher than that of the average American family, and three times larger than the income of a typical female-headed family. Most families are hunkering down—cutting consumption and paying off their debts—in this recession. But government is oblivious: on the heels of last year's federal hike, 26 states have increased taxes this year.

—ED RUBENSTEIN

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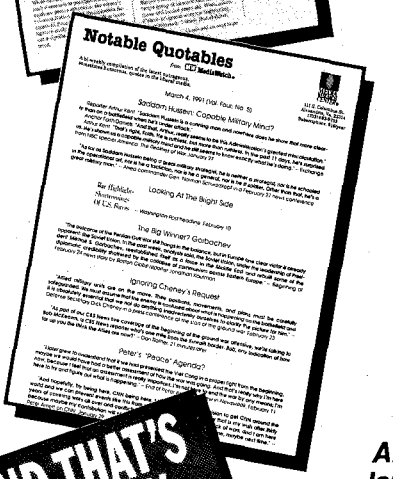

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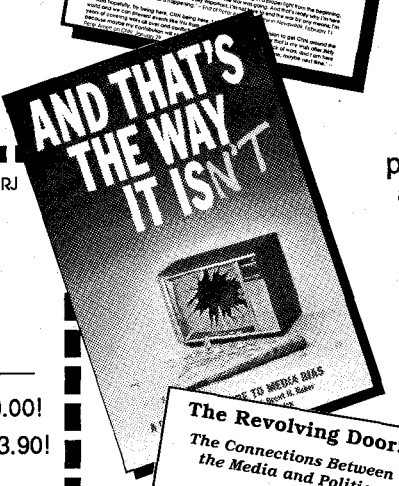

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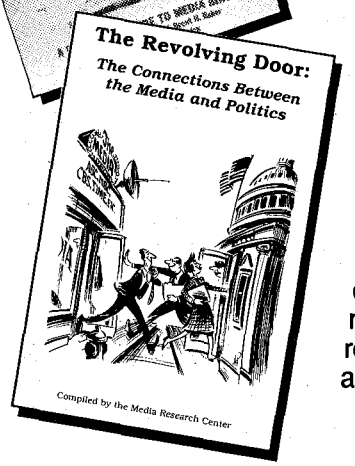

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partly from a mass-journalistic imagination which, weaned on Watergate, is hospitable to the most absurd conspiracy theories. Major apologies are in order, in the interests of hygiene.

Magic's Cure

IN ANNOUNCING his retirement from basketball because he has contracted the AIDS virus, Magic Johnson, normally known for his level-headedness, seemed to fall instantly into the litany of fashionable irrelevancies—in particular, that his task was now to promote "safer sex." The general idea, of course, is that he will spend his time urging young people to use condoms.

To speak of the sexual "revolution" is not to exaggerate. The norm of chastity, which channels sexual energy into family life, has been effectively overthrown. It is none too clear what the benign consequences of this were supposed to be, but they are not apparent. What is apparent, however, is that the nation now faces sharply increased incidences of disease, abortion, illegitimacy, and divorce. Ten years ago hardly anyone knew what AIDS was, though we had become familiar with genital herpes, chlamydia, and other sexually transmitted diseases.

And how has liberalism risen to the challenge? With that ultimate weapon, the condom. Only a few years ago liberals were citing the unreliability of the condom as a justification for legal abortion. Now they are willing to bet millions of young lives on its efficacy—assuming the unlikely, namely that passionate young people will remember to wear their rubbers in moments of peak ardor. Given the general health-and-safety fanaticism of modern liberalism, one can say with assurance that if any other product matched the failure rate of the condom, exposing the user to such grave risk, the entire industry would face a Nader-led campaign for a government crackdown.

Liberalism substitutes prudence for morality, forgetting that prudence requires a habit of self-control that rarely flourishes without morality. The only true safety, embarrassingly enough, lies in virtue. But among public figures, only Dan Quayle has had the nerve to suggest that the answer to AIDS is abstinence. This suggests that Quayle is almost alone, among those who can make themselves heard through the mass media, in preferring the saving of lives to the salvaging of the sexual revolution.

Needless to say, chastity is not a virtue the state can enforce. But responsible people can acknowledge that it *is* a virtue, one that is within the power of the young to practice, and one that they abandon at their peril. Even the licentious Romans thought chastity a virtue worthy of a goddess, Diana. The least that modern society can do for its younger generation is to assure them that if they attempt it, they will have the full moral support—and respect—of their elders.

On the Boards with Cuomo

Though *Hamlet* suits him, there are those
Who, in New Hampshire, hold a nose
As, entering from stage left, he,
Day in, day out, begins, "To be . . ."
While in the wings the players strive
To persevere until Act V.

W. H. VON DREELE

NOTES & ASIDES

WFB was asked to reply to the principal address, delivered by the Rt. Hon. Margaret Thatcher, at the 60th Annual Banquet of the Hollinger Group (held this year in London, and hosted by Conrad Black, the owner of the Daily Telegraph *and* The Spectator*).*

MRS. THATCHER, ladies and gentlemen, I interrupt myself to extend thanks to the Hollinger Group, and to Conrad Black, for their hospitality. I do this moreover on behalf of all the Americans who are here, the only matter I can think of that would permit me to speak corporately for so many distinguished persons, of such disparate views. I must assume that only Paul Volcker, when touring world capitals to dispense loans, is accustomed to such attentive welcomes. And of course I congratulate Mr. Black and Max Hastings and their colleagues on the manifest good health, stylistic and journalistic, of the *Daily Telegraph*.

I have known Conrad Black to be a remarkable man ever since I first experienced him and brushed up against his encyclopedic knowledge, his absolute sense of orientation, and his modest manners. Last night in conversation he asked if I had seen the Letters column of this week's *Spectator*, in which he registers complaints against the editor's recent anti-American crotchets in tones both firm and permissive. It isn't until the final sentence that the reader would discover that he was reading the words of someone whose complaints, were he so minded, could result in firing overnight the entire editorial staff. That last sentence, concluding his syllabus of errors committed at the expense of America and President Bush, reads, "It is not normally the duty of the proprietor to distinguish between intelligent controversy and bile." The editorial heading under which the letter appears in *The Spectator* perfectly

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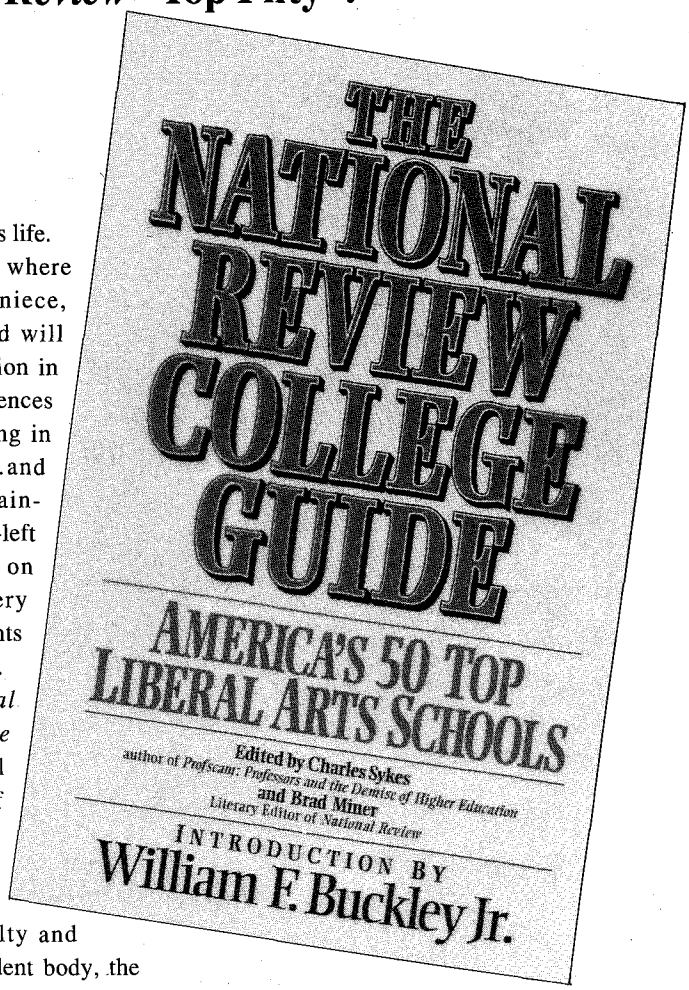
THE NATIONAL REVIEW COLLEGE GUIDE
AMERICA'S 50 TOP LIBERAL ARTS SCHOOLS
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and Brad Miner
Literary Editor of National Review
INTRODUCTION BY
William F. Buckley Jr.

We'll get the bad part over with fast. Things are pretty bad on some campuses. There are no more course-distribution requirements — anything goes.

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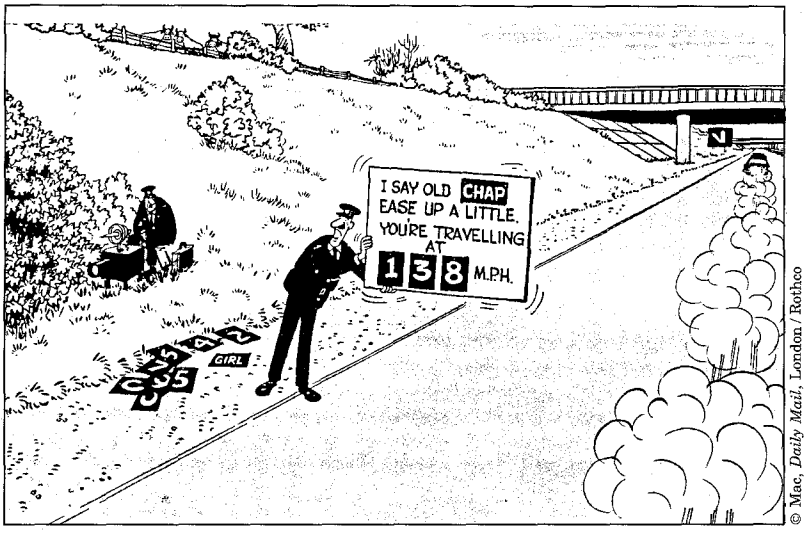

"Personally, I think the chief is over-reacting to all these complaints against the police."

reflects the independence Mr. Black gives to his editors. It reads, "GOD BLESS AMERICA."

My mandate is to acknowledge the speaker and to say a word about what she said, or about what most struck me in what she said.

Just three days ago I heard Dr. Kissinger, at a private seminar, refer to her as follows: "Prime Minister—I shall always refer to her as such, since there can never be her equivalent . . ." But one does, in Rome, as Romans do, and so I speak simply of "Mrs. Thatcher." In doing so I remember an incident almost 16 years old. I wrote about it in my column at the time, under the heading, "Just Call Me Bill."

I had resolved, just before my fiftieth birthday, that the time had come to abandon some of the more formal habits I inherited from my father, principal among them steadfastly to use surnames except among rather exact contemporaries, which reminds me that I am five weeks younger than Mrs. Thatcher. I had revolted against the practice of Edward R. Murrow of using Christian names in his famous interviews whether speaking to Shirley Temple or to Shirley Williams. Moreover, I analyzed it that for the 15-year-old to refer to the 25-year-old as "Mr. Templeton" was a deferential acknowledgment of a certain seniority. But as one got older, I reflected, to abide by such a convention had the effect of a forty-year-old remarking to a fifty-year-old a difference in age no longer significant, and for that reason interpretable as strutting one's relative youth.

And so I resolved to change my ways, and to reciprocate the vernacular *Gemütlichkeit* of my guests, the next one of whom, as it happened, was Mrs. Margaret Thatcher, a candidate for leader of the Conservative Party. Toward the end of the program, she referred to me as "Bill." I took a deep breath and resolved to embark on my new course. The next day, going through the receiving line at a reception in her honor, I beamed, "Hello, Margaret!" She replied with a smile, "How are you, Mr. Buckley?"

The following morning I raced through the transcript of our program to discover to my horror that where I had heard her calling me "Bill," she was in fact making a reference to the Bill of Rights. My trauma was total, and I instantly reverted to my old habits, as I confessed in my column, which was published in the Paris *Herald Tribune*, resulting a few days later in a letter from London. It began, "Dear Bill." And was signed, "Margaret."

But she is blessed not only by perfect manners, when the aggrieved need balm. She is blessed also by a singular capacity for combining absolute firmness with a sweetness of manner, attributes that have made her the formidable historical figure she is. True, one sometimes has the feeling that ever since she mastered grammar and reason, she swung immediately into the rhetorical mode the medieval teachers of the trivium told us it was the purpose of grammar and reason to inform, and to activate. She loves the analytical gardens, and I saw her visibly entranced last Saturday by the tone poem on reason and modernism pronounced by Professor Kenneth Minogue. But when she got to her feet, she said that when philosophy was done and said, there had to be a politician—to act upon the accumulated knowledge. As she put it, the cock can crow and crow and crow, but the hen has to lay the egg.

Most arresting to this listener is the *mano a mano* the whole world is slated to see between Margaret Thatcher of Great Britain, speaking for national independence, and Jacques Delors of Brussels, speaking for political Europeanization. Her case against him, as we have heard, mounts. She has only left to charge him, in order to capture the whole of American attention, with sexual harassment. She has said that it is a most striking paradox that at the moment the Soviet republics are experiencing the exhilaration of disfederation, Mr. Delors wishes the European Community to federate.

I like her phrase, "I almost felt sorry for him." Well, I do feel sorry for him, as I do for anyone who stands against this resolute figure, whose devotion to principle is unchallenged because it is, quite simply, unchallengeable. There are of course those who feel she overemphasizes this point, or underemphasizes that one, or who seek occasional shelter from the encephalophonic political and moral pedagogy; such self-indulgence is natural, but it's the kind of thing that you wake up from to find Winston Churchill gone and Clement Attlee there. Our equivalent in America was the long long wait in 1948 for the farm vote that never materialized.

I wish Mrs. Thatcher well, and unblushingly acknowledge the great debt I, among so many, owe to her. **—WFB**

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ON THE SCENE

Hearts and Minds

DONALD KIRK

Fred Carlson

HANOI

THE SUITE of offices and bedrooms in the Boss Hotel, across a leafy street from one of those sparkling little lakes that decorate downtown Hanoi, doesn't look much like a diplomatic mission. The half-dozen Americans who live and work in them prefer sports shirts to coats and ties and are sometimes seen wearing baseball caps at lunch. There is no gauntlet of security guards and secretaries barricading the halls—only smiling Vietnamese hotel clerks glad to wave a visitor up to see "the Americans" with or without appointment.

They are all military people, some of them still on active duty, others retired and working for the Pentagon as civilians. Most of them have spent years in or near Vietnam, beginning with tours in the South more than twenty years ago or on bases in Thailand from which planes flew on bombing sorties over this very city. Now they are here for quite a different purpose—one that evokes sad, bitter memories for all sides. They are here to look for the dead and missing.

"The ministry of defense, ministry of interior, foreign affairs—they're cooperating," says Garnett "Bill" Bell, who studied Vietnamese in the army and did four tours as an enlisted man in Vietnam. "The people we work with—they've been given more authority." Bell is the chief of what is formally known as the "U.S. Office of POW–MIA affairs"—the first quasi-permanent American presence in Vietnam since the heliborne flight from the roof of the Saigon embassy in 1975. Without admitting as much, he leaves the impression the "POW" part of the name is a sop to the diehard group of politicians, veterans, and family members who persist in believing a few of the missing are still held captive somewhere in the jungles. "I don't know of Americans who are alive," he says. "People come up to me, people say they are sure Americans are held, but I don't see any proof."

What Bell does see evidence of is the anxiety of Vietnamese officials to demonstrate to a stream of visiting congressmen and representatives of veterans' groups that they are helping him do just about anything he wants in the way of getting to crash sites, reviewing data in Vietnamese archives, and interviewing witnesses. Team member Robert Destatte, a Vietnamese linguist who spent five years in the South during the war, tells how much the Vietnamese have impressed their American guests. "For the first time there's a prospect for getting a full accounting," he says. "I believe the government has formally decided to help."

To one who spent years covering the region as a correspondent, the transformation of attitude toward the "imperialist aggressor" appears downright revolutionary. This transformation reflects the desperation of a society that had come to know far more about war than peace. The real revolution in Southeast Asia has gone on elsewhere—in Bangkok, Singapore, Hong Kong. While new office towers rise in all these cities, architectural relics of the French colonial era provide the dominant motif here and in old Saigon, which are almost unchanged except for an occasional boxy concrete building put up since the end of the war.

The incredible irony now is that the Vietnamese again expect the United States to pour in dollars and advice—and the betting is the United States will. An exuberant crowd of Australians and Europeans in a newly opened bar in Saigon called Shake's—on the top floor of a building that once housed a branch of the Bank of America—points out the realities. "You blokes are going to lose out on all the business," says a veteran of the small military force that Australia sent to Vietnam in the late 1960s. "You're cutting off your nose to spite your face."

The White House had stipulated two conditions for lifting the embargo on U.S. trade and investment here—full cooperation in the search for the dead and missing, and non-interference in Cambodia. A casuist could argue that Hanoi has already lived up to the first condition by admitting the team of U.S. military experts and showing them some sites. True, the team has much more work to do, but the point in the end may be to find a face-saving way of certifying the search as successful. As for Cambodia, the conclusion of a deal demanded by the five permanent members of the UN Security Council may just be enough.

"Every Vietnamese people hope they lift the embargo," says Nguyen Van Nghiem, who learned his English at the Great Lakes Naval Training Center on Lake Michigan during the war. Nghiem chats with me in the Top Ten Restaurant, which he manages for a Singaporean company on the ground floor of the venerable old Eden building in Saigon. The restaurant is nearly empty—Nghiem says "we open a year ago for foreigners" with an inviting sign, "24-Hour Fast Food Restaurant," and a promise of Japanese-style Karaoke and dancing, but few are interested. "Life here will be better," he predicts, when the Americans are back.

Mr. Kirk is a veteran foreign correspondent.

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Nghiem places his hopes largely on the influence of a man who once ran the city from a mysterious warren of musty offices in a delightfully rococo building just a few feet from the Top Ten. The man is Vo Van Kiet, a top leader of the Vietcong in the South during the war and then for four years secretary of the Ho Chi Minh City Central Committee—in other words, mayor of Saigon. Neither Vo Van Kiet nor anyone else on the Ho Chi Minh committee has been known to venture from the old city hall—a prize inherited from the French—and stroll among the shops in the Eden building, much less enter Top Ten. "I have no chance to see any officials," says Nghiem. Still, he says, "People in the South like Vo Van Kiet."

If the small clique of old men in Hanoi who somehow still remain at the top did not consult Nghiem for his sentiments, they nevertheless were aware of the respect Vo Van Kiet commands in the South. It was partly for that reason that Kiet in August was named prime minister. The shake-up in leadership, to be sure, was not exactly revolutionary. Kiet at 68, with a record as a hard-core cadre dating from his days in the Vietminh fighting the French, succeeded 74-year-old Do Muoi, named general secretary of the Communist Party in June. That post is the one that really counts, just as it did when Uncle Ho himself was in charge. Do Muoi talks reform and reconciliation, but he no doubt remembers his decade of imprisonment by the French in the same compound dubbed the "Hanoi Hilton" by the captured American pilots tortured there during the war.

One wanders among restaurants and shops looking for clues—to the past, the present, the future. In Hanoi I stop in at a restaurant with no name, a small room up a narrow flight of stairs. I had dinner there in April of 1985 and wonder if the same young man who talked so volubly to me then is still around.

He isn't—but the news isn't as ominous as I am first led to believe. It turns out that he fled in July of 1988 after the police had briefly held him and a friend for watching a banned videotape. The two young men disappeared, and finally wrote their parents from a refugee camp in Hong Kong weeks later. They are still in the camp, unable to work in Hong Kong, unwilling to go home, and unable to gain admission to any other country. The restaurant, in the meantime, has had its ups and downs. The police closed it several times but have left it alone for nearly two years—a small sign of the freedom that economic necessity has driven leaders to give to free enterprise.

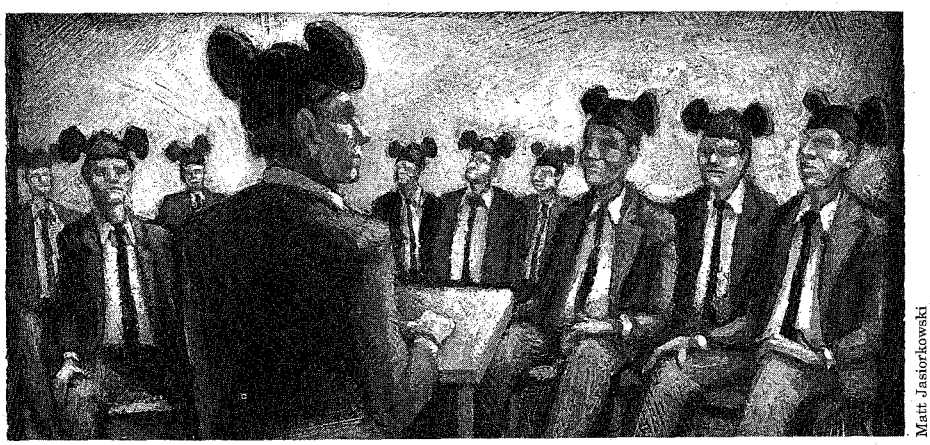
The markets are brimming with motorcycles and spare parts, radios and VCRs, cans of beer and bottles of mineral water. The streets are jammed with small cars and trucks and darting scooters. "You hear things are tough," says an American bureaucrat. "What you see is things are going pretty well. This is an entrepreneurial people. They work like hell."

Gleaming new name plates reflect the national drive both to increase exports and to draw in foreign investment. Acronyms are in vogue—with state trading firms now flaunting names like "Getronimex," for "General Electronics Import Export Company." Always, though, one picks up more than an undercurrent of discontent. Below anachronistic banners showing Vietnamese and Soviet flags, an old man repeats local wisdom. "Life in Vietnam is always the same," he says. "If this government is not changed, the people is never better. All Vietnam people hope for change."

A few blocks away, hundreds of Vietnamese wait to meet one of several harried Americans for interviews that may or may not win them visas to the United States. The Americans interview about ten thousand people a month. A young Amerasian named James Coleman explains realities. "Living here is too hard for Amerasians," he says, breaking into a genial, broad American grin. "We cannot go to school. We cannot get a job. We don't stand a chance." He gives a GI-style thumbs-up when asked if he sees any hope. "I go to America"—a land to which he can bring no education or skills. "It must be better." □

Leftists in Sheep's Clothing

HAROLD JOHNSON



Matt Jasiorkowski

ANAHEIM

THE Grand Ballroom of the Disneyland Hotel teems with smartly suited members of the Chinese American Association of Southern California: doctors, lawyers, business chiefs—mostly immigrants. The banquet celebrates an achievement ethic that is one of the Pacific Rim's most promising exports.

The speaker, U.S. Representative Tom Campbell from Palo Alto—fast-starting Senate candidate and prophet of a sleek, modernized Republicanism—can relate. Just shy of forty, he boasts both a JD (Harvard) and a PhD (economics, University of Chicago). A White House fellowship, a Supreme Court clerkship, and stints at Justice and the Federal Trade Commission, as well as on Stanford's law faculty, preceded his election to the House of Representatives in 1988.

It's no surprise to hear this achiever, to this audience, talk up meritocracy and blast racial spoils: "One of my constituents was turned

Mr. Johnson is an editorial writer for the Orange County Register.

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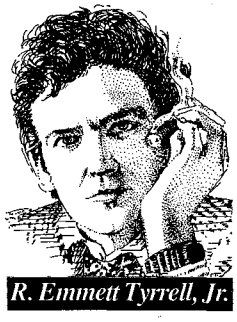
R. Emmett Tyrrell, Jr.

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Vol. 5, Number 24 Hampton, Iowa Wednesday, June 13, 1990

Latest Threat to National Defense: Congress

Pat Buchanan's column on page 1.

DEFENSE

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PATRICK BUCHANAN

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down by a University of California law school. He was told, 'You are number seven on the Asian waiting list.' How offensive that there is such a thing as an Asian waiting list! How offensive that a unit of government should distinguish among people on the basis of their race!"

Heavy applause. But then, a jolt: Campbell goes on to brag about being the only Republican in the California delegation to back the Kennedy civil-rights bill. Say what? A bill that, by any objective reading, would have compelled counting by race?

As it happens, the congressman also voted for an even more radical measure, the Towner–Schroeder version, drafted defiantly without an anti-quota disclaimer or a ban on "race-norming." Confused? Welcome to the "New Conservatism," billed as a melding of liberalism on social issues with fervor for free markets and balanced budgets. If Tom Campbell has his way, it will be the creed of California's GOP for the Nineties and beyond.

Although traditional conservatives scoff, they have their work cut out for them. Next year's primaries for both of California's U.S. Senate seats offer a clear-cut battle over the party's definition and direction. In one race, appointed Senator John Seymour, tuned to the same ideological frequency as Campbell and Governor Pete Wilson, is favored over hard-Right Representative William Dannemeyer and Civil Rights Commissioner Bill Allen.

It's in the other primary, for the Senate seat being vacated by Alan Cranston, that Campbell is running. He'll face off against Los Angeles television commentator Bruce Herschensohn. Conservative in the classic Reagan mold (the abortion issue included), Herschensohn is an unreconstructed hawk on defense and favors a flat tax and sunset review of federal agencies. One problem: he's philosophically opposed to term limits, and Campbell, who favors them, will find that a tempting target.

Herschensohn's TV forum has given him name-ID to die for in the most populous part of the state. He was runner-up in a crowded Senate primary six years ago; with the right side of the playing field all his this time, he ought to be in a position to romp.

So why do so many of his boosters seem spooked? Maybe they sense the sagging spirits among the rank-and-file following the cave-ins on taxes in D.C. and Sacramento. For some, the alienation is profound. "I won't endorse any Republican who won't denounce George Bush and Pete Wilson," says economist Art Laffer.

A more concrete worry is the hum of Tom Campbell's operation. Along with his Silicon Valley–based House district, he inherited the fundraising network of computer magnates erected by Ed Zschau, who bested Herschensohn in that 1986 Senate primary. Billionaire industrialist David Packard co-chairs Campbell's campaign; at least 150 CEOs have signed on. Also, as a champion of the gay-rights agenda, Campbell can tap into one of the state's most prosperous sources of funding.

Beyond that, there's the candidate's personal energy and his smoothness on the stump. "I talk to business people in my district who are bowled over by his pro-capitalist rhetoric," says Assemblyman Pat Nolan, a Herschensohn supporter.

The pitch *is* impressive. Campbell argues for the line-item veto, the balanced-budget amendment, a capital-gains-tax cut. Citizens against Government Waste, he notes, ranked him among the most frugal members of the House.

And the former Stanford professor has won endorsements from some Hoover Institution heavies, including George Shultz, Martin Anderson, and his mentor from Chicago days, Milton Friedman.

All very impressive—except for one small problem. No matter his choice of camouflage, the fact is that, with a career American Conservative Union rating of 50, Tom Campbell is the most liberal member of the state's Republican delegation in the House; and on certain issues may even be to the left of some of the Democrats.

Pat Nolan has an antidote for folks under the spell of Campbell's lectures on economic conservatism: "I tell them his record," including the support for higher gas taxes and the spottiness over the years on key defense and foreign-policy questions, such as the Contras and SDI (which contributes to his reputation for parsimony).

"We're running against Campbell as if he were a Democrat," says veteran political consultant Ken Khachigian, who is managing Herschensohn's campaign. For starters, consider Campbell's longtime support for the parental-leave mandate sponsored by Pat Schroeder, a proposal to armtwist employers into granting weeks of paid time off regardless of the firm's financial condition or schedule of benefits. Advertised as cost-free social insurance, the program is actually a tax on the job-creating sector.

Even on the social issues strictly defined, Campbell's eagerness to get government out of the way goes only so far. Although a few years ago he was hesitant about federal subsidies for abortion ("I don't want to get into any funding for killing"), those qualms are gone today. He's pro-choice—but not for taxpayers.

Clearly, the internal contradictions of the New Conservatism offer a fat target. It poses as fiscally responsible, but you're no fiscal conservative if you're willing to add more muscle to the state or sic more regulators on productive enterprise. The Senate campaign offers a chance to come to terms with that truth. □

On the Brink of Chaos

RADEK SIKORSKI

WARSAW

IF EVER the evil of proportional representation needed to be demonstrated, then the Polish elections have proved the case once and for all. The first democratic parliamentary elections for half a century should have been a great celebration of the victory over Communism and a prelude to rebuilding Poland on a democratic foundation. But, largely through the timidity of the former Prime Minister, Tadeusz Mazowiecki, the Communist-dominated parliament was not dissolved at the most opportune time—in January 1990, when the Polish Communist Party ceased to exist. Instead, the former Communists and their allies remained in parlia-

Mr. Sikorski, NR's roving correspondent, is currently based in Warsaw.

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ment—blocking bills, obstructing reform, and attacking the heroic efforts of Finance Minister Leszek Balcerowicz to drag the Polish economy into financial sanity. And the Communists have left Poland one final legacy. In an unholy alliance with Catholic fundamentalists, Communist MPs voted through proportional representation.

All those in the West who argue that PR is a fairer system than first-past-the-post should have visited Poland during the election campaign. Over one hundred parties competed for votes. Any party that obtained 100,000 signatures of support had automatic access to state subsidies and free prime-time television slots. Suddenly, every fanatic in the land could pump his propaganda in the respectable garb of an election campaign.

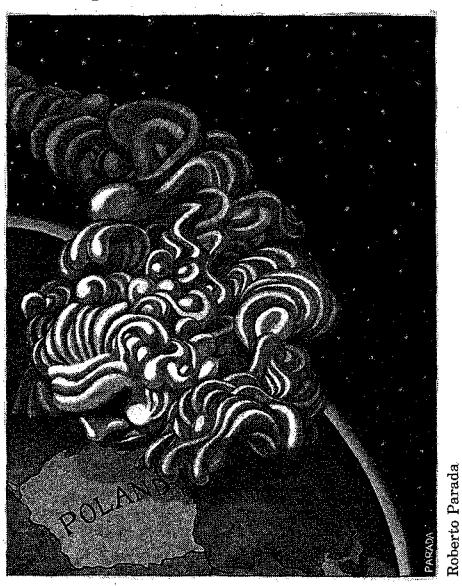
"Out with Judaeo-Communists, out with the Judaeo-Solidarity, vote for us, true Poles," proclaimed the National Democratic Party. All campaign broadcasts of another party, a splinter group of the green movement, featured a hypnotist, whose power was supposed not only to ensure the party's electoral success but also to cure the ailments of those who came under his spell. The fundamentalist Catholic Action Party used video clips of the Pope's recent visit to Poland: a crowd of angelic youths ecstatically singing a hymn under the direction of a handsome monk. Amid all the televised gush, the Friends of Beer Party, devoted to a personality cult of its obese leader, came across as relatively sober.

The main argument for PR—that it is fairer because it presents voters with more options than the two encouraged by first-past-the-post—has in Poland been stood on its head. It might be fairer to have the choice of three or four parties instead of two, but is it fairer to have a hundred? Most Poles expressed their opinion with their feet. They were so confused by the profusion of parties and programs that they stayed at home. Despite the historic occasion, only 40 per cent voted, compared to 60 per cent in the presidential election last year.

But the worst results of proportional representation are still to materialize. As in the Weimar Republic, PR has favored extremists. Out of 19 parties in parliament, 8 will have between 30 and 75 seats—together accounting for about 380 seats (out of 460)—and 150 of the 380 have gone to parties ideologically so extreme as to make cooperation between them unlikely.

On the other hand, parties which might be recognizable by Western standards as social democrats, Christian democrats, and conservatives—respectively the Democratic Union, the Center Alliance, and the Liberal-Democratic Congress (which was able to enlist Mrs. Thatcher's support)—will hold just over a third of the seats. The Friends of Beer Party, with 18 seats, is a bit of a dark horse.

In short, the free Polish parliament has committed suicide at birth. It cannot form a stable government, nor will it be capable of reforming itself. Once



Roberto Parada

PR is adopted, it is virtually impossible to jettison it in a democratic way.

Sadly, Poland is repeating all over again the mistakes that have twice in the past led to disaster. In the old Polish–Lithuanian Commonwealth in the seventeenth and eighteenth centuries, bills were blocked and parliaments broken by the veto of a single deputy. The resulting weakness led to partitions and to Poland's disappearance from the maps of Europe for over a century. Nor was the lesson learnt when Poland re-emerged in 1918. A PR parliament brought the country to the brink of chaos—until May 1926, when Marshal Pilsudski took power in a bloody coup d'état.

The best that pro-reform parties can now do is stall the parliament into paralysis. According to the constitution, the president can then disband it and call a new general election. Lech Walesa ought to proclaim a state of emergency for one day and issue a decree changing the electoral law from proportional to first-past-the-post.

Meanwhile, the Polish reform program, once a beacon to the rest of Eastern Europe, is likely to be the first victim. Only a handful of big companies have been privatized, and the few shares that do trade on the toy Warsaw stock exchange have been sagging. The budget deficit is spiraling out of control and anyone who now takes the levers of power will have to let the printing presses run even faster to satisfy the demands of the coalition partners' clientele—with all the predictable consequences for the currency and business confidence. Failing a miracle, most gains of the two-year austerity program—especially stabilizing the *zloty* and reducing inflation—will soon be wasted.

There are lessons in the Polish experience for other post-Communist countries setting off on the road to reform. First, sort out your politics before you begin to tackle the economy. It was a strategic blunder to assume that, whatever the economic hardship, Poles would back the reform program out of sheer patriotism. Especially in countries where the benefits of the market economy are not regarded as self-evident, reforms must be seen to work. Assure yourself and your party of a mandate for a number of years, enough for reforms to yield obvious results—and only then apply the unpalatable medicine.

Second, when you do introduce reforms, avoid the Polish mistake of talking big and doing little. If you herald a radical market reform but introduce it half-heartedly, the markets will fail to work and you will carry the political can. You will only have brought market ideas into disrepute.

Third, and whatever else you do, don't even think of adopting PR.

Human nature being what it is, though, most people don't learn from other's mistakes. In a few years' time the West will be confronted with a string of post-Communist countries that have fallen into anarchy and dictatorship as a result of ill-conceived experiments with democracy.

The devil is again on the prowl in Eastern Europe, disguised in the innocent garb of a social democrat. With a thoughtful nod and a concerned look through his spectacles, he advises his fellow Eastern European intellectuals to adopt PR. □

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Trial by Press

INSIDER REPORTING

Emile Zola's journalism helped get an innocent Dreyfus out of prison. James B. Stewart and the *Wall Street Journal* helped put Milken inside one. But is he innocent too?

JUDE WANNISKI

THE *Wall Street Journal* on October 2 ran an excerpt of James B. Stewart's book on Michael Milken and Ivan Boesky, *Den of Thieves*, under the headline "Scenes from a Scandal." The excerpt presents the thesis that Milken and Boesky, together driven by drooling greed, were conscious partners in criminal schemes to enrich themselves at the expense of the investing public. The piece took up two full newspaper pages, around a line drawing of Milken designed to prepare the *Journal*'s three million readers for a profile of Evil Incarnate. Although the *Journal*'s editors are not conscious of what they have done, the publication of this material in this fashion is the low point in the newspaper's long and illustrious history. Having spent 13 years of my own career at Dow Jones publications, six of them at the *Journal*, on the editorial board and as associate editor, I'm especially saddened at this corruption of journalistic standards.

James B. Stewart, whose book the *Journal* is trumpeting, is the paper's page-one editor. He is a lawyer by training, as is Norman Pearlstine, the paper's executive editor, his boss. Stewart's first book, *The Prosecutors*, was published five years ago as his alliance with federal prosecutors began to flower. It is a celebration of prosecutors—which speaks to the cast of Stewart's mind. Until very recently, the tradition of American journalism had been in celebration of the defense attorneys, the Clarence Darrows of the profession who defended the criminally accused. Journalism first walked down a new path with Watergate. The political prosecutions of the Reagan Administration were similarly fed by prosecutorial tidbits to the press. Until Ivan Boesky came along, the *Journal* had been cut out of this action. The prosecutors had denied its news reporters the spoonfeeding of raw conjecture dressed up as fact, largely because the paper's editorial page opposed trial by press. Prosecutors did not consider the *Journal* to be a reliable ally in a witchhunt.

For some time, there has been an intense, often bitter rivalry between the *Journal*'s editorial pages and its news pages. The *Journal*'s editor, Robert L. Bartley, was unable to halt the corrupting influence on the news pages of the witchhunt against Wall Street led by U.S. prosecutor Rudolph Giuliani. Bartley and his associate L. Gordon Crovitz, author of the "Rule of Law" column and a lawyer in the Darrow tradition, are in a most unusual position, prevented by institutional constraints from saying anything publicly about the news department's role in assisting that corruption. But Pearlstine and Stewart do not care what Bartley and his editorial-page writers privately think of them, knowing they are unable to say anything in public.

Deep Throat

THERE ARE sleazy, envious, openly corrupt newspapermen whom I've known over the years. Stewart is not one of them. Eminently likable, decent and brilliant in his way, he first came to my attention in 1986 as the *Journal*'s mergers-and-acquisitions reporter, which became his stepping stone to a Pulitzer Prize and the page-one editorship. Stewart drove the *Journal*'s competitors crazy because he always seemed to get the big M&A stories before they did. In my 1987 *MediaGuide*, which rates the national press corps, Stewart was awarded the maximum rating of four stars. How did he do it? Was his "Deep Throat"—his most important source of inside news on Wall Street—Ivan Boesky? Boesky was even then manipulating the *Journal* and the rest of the financial press for his own profit. Before he was caught, remember, Boesky was portrayed by the financial press corps as a fiendishly clever expert in arbitrage. The financial press also presented him as a cultured intellect, a man of the world, a philanthropist. Michael Milken, who never, ever socialized with Boesky, an illustrious client

Mr. Wanniski is President of Polyconomics, Inc.

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of Drexel Burnham Lambert, probably believed with the rest of us what he read in the newspapers, including the *Journal*'s news pages, about Boesky.

Drexel Burnham Lambert in these glory years did most of the M&A deals on Wall Street because of Milken's financial prowess. (Ironically, in those very years the record indicates Milken opposed hostile takeovers and tried to discourage Drexel from participating in them.) Stewart makes it appear as if Milken and Boesky were in constant contact, scheming and plotting. Those who worked with Milken have indicated Boesky was considered something of a nuisance, calling Milken a dozen times for each return call he got. Boesky's source of inside information from Drexel was not Milken. It was Dennis Levine, an ambitious young man who was no financial genius but who had ready access to enough of Drexel's inside doings to make him a goldmine of information. Stewart himself reports that when Levine hinted to Boesky he might like to come to work for him, Boesky reminded Levine that he was too important to him at Drexel. In due course the feds would collect Levine, but he was much too small a fry to earn Ivan Boesky the sweetheart deal he got from the feds, a sojourn at a federal country club. So Boesky told the feds Milken was his source, and Stewart, stunned that his pal Boesky turned out to be a crook, was only too ready to believe Milken was the evil genius who led Boesky astray. In his book, Stewart clearly views Boesky, a man he knew well, as a victim of Milken, a man he never met. By contrast, Dennis Levine, who knew both men, has written that Milken was taken in by Boesky.

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Stewart himself was taken in by both Boesky and Giuliani. In my 1988 *MediaGuide*, published long before I met Michael Milken, I reduced Stewart's rating precisely because we felt his early reports on the Wall Street scandals were overstepping the bounds of traditional journalistic standards. "He pushed a little too hard for our tastes," we wrote, "seeming as if he wanted to hasten indictments in the dealmaker scandals. . . . Author of a new book, *The Prosecutors*, Stewart seemed to be going to trial by press, a breach of journalistic standards that he shares with his editors."

With Stewart as point man in the press corps, Giuliani's campaign against Milken worked like a charm. Now, with Milken sentenced to ten years in a federal penitentiary, almost everyone in the nation who does not know him personally believes him to be the Master Crook of the 1980s (while those of us who know him believe him to be a victim of our epoch). Boesky, now a free man, is viewed as merely a pawn.

Stewart's Just Cause

WHEN Stewart was named page-one editor late in 1988, he persuaded the *Journal*'s news editors that seeing that Milken did not somehow escape the wheels of justice was a Just Cause. For the following two years the newspaper routinely ran unsourced news stories by other reporters under Stewart's direction, alleging felonious activity by Milken involving insider trading, stock manipulation, and bribery.

For three years, the government wrestled with the beans Boesky had spilled, trying to come up with airtight felony counts. Failing on quality, they went for quantity instead, finally delivering a 98-count indictment to the court. At the same time, the *Journal* trained its news guns on the very concept of "junk bonds," inviting a temporary decimation of that market and fueling the congressional demands that something be done. A long string of savings-and-loan companies, forced by the federal bailout law that resulted to sell what had been their most profitable assets, went into federal receivership, adding hundreds of billions of dollars to the federal deficit over time. (Had they been allowed to retain their junk-bond portfolios, the profits would have helped offset the mammoth losses in their real-estate portfolios, the real reason for their failure.) Again, the *Journal*'s editorial-page writers maintained a piquant counterpoint to these grotesque proceedings, but were barred from pointing out that their brethren on page one had been part of the problem here as well—by nurturing the idea that high-yield bonds, the concept born in the evil mind of Michael Milken, were unworthy financial instruments.

In the end, faced with new threats from the prosecutors that he and his brother Lowell would soon face another carload of felony counts in a variety of geographical jurisdictions and would be in the courts until they were old men, Milken caved in. He agreed to plea-bargain when the feds said they would allow his brother to walk away a free man. To avoid a trial with material they knew was questionable, the prosecutors had to allow Lowell Milken his freedom, for he made it plain he would not plea-bargain—even on felony charges that could theoretically have salted him away in a federal

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slammer for several hundred years. And Michael Milken's plea of guilty to six felony counts was striking in that none of them involved insider trading, stock manipulation, or bribery—the triad of unsourced allegations that Stewart had been running in the *Journal*'s news pages for years. The six counts involved only technical violations of the security laws, none of which, on close examination, would seem to warrant more than the equivalent of a parking ticket. By my reckoning, none of the counts involved the loss by the investing public of a dime, much less billions.

In a post-sentencing proceeding to determine how much these felonies cost the investing public, U.S. District Judge Kimba Wood could stretch logic only enough to find $318,000. Milken's High Yield Bond Department had been charged for commissions paid to Drexel salesmen who sold shares of a fund managed by a Drexel client. In order to recoup those commissions, Milken had agreed with Drexel's client, whose own customers had not paid commissions to the salesmen, to adjust the prices of securities purchased by the client through Drexel, by fractions of a point within the bid/asked spread, until the $318,000 figure was reached. This was logical. It didn't really cost the investing public anything. And it would have been legal if Drexel's client had made the appropriate disclosures to its own customers. I could sympathize with Judge Wood when she identified the $318,000 as the public's loss. Having sentenced Milken to ten years in prison, it would have been awkward if she had been forced to announce that he hadn't stolen a dime from anyone.

Guilty as Not Charged

BEFORE sentencing Milken, however, Judge Wood had invited the prosecutors in special court hearings to go beyond the harmless "crimes" to which Milken had confessed and present the best evidence they had against him on the accusations that had never been brought into court as formal charges but had got wide public attention via the leaks to the *Journal*. The purpose was to help Judge Wood, when sentencing Milken, to determine if the crimes to which he had confessed were or were not part of a broader pattern of criminality. The proceedings were known as the Fatico hearings. For four weeks last October, the federal prosecutors took their best shots—one trying to prove Milken manipulated stock, one trying to prove he engaged in insider trading, and one trying to prove he committed bribery. In each attempt, the government failed miserably. Judge Wood sentenced Milken to ten years in prison, followed by three years of full-time community service, even while acknowledging the prosecution had indeed failed to prove its case.

For instance, in the attempt to prove stock manipulation—a charge based on information supplied to them by Boesky—the government lawyers discovered they were looking in the wrong place. Milken's lawyers demonstrated that while it appeared someone at Drexel was involved, Milken not only was *not* trying to drive up the price of Wickes Co. stock, as the government alleged, but his department had been serious *sellers* of the stock during the period in question. Judge Wood concluded that the government witnesses had failed to show that Milken was even involved in the Wickes transaction. The judge also found that the government failed to prove its charges in the bribery case, involving warrants of Storer Communications.

The attempt to prove insider trading went especially awry. The government had as a key witness an employee of Milken's junk-bond department, James Dahl, who swore before a grand jury that Milken advised him to buy up Caesar's World bonds from Drexel's own customers at a time when Drexel had inside knowledge of impending financing developments that would make the bonds more valuable. To the government, this was a smoking gun. It turned out, however, that Dahl had confused several events, and when the true facts began to emerge, even he was not so sure that his version was correct. Here's what happened.

In June of 1983, a sales meeting was set up by Drexel at Caesar's World, a meeting Milken attended long enough to make his pitch. Coincidentally, a Drexel client wanted to sell Drexel $6 million of Caesar's World bonds. Milken bought $3 million of those bonds for Drexel's profit-sharing account before the meeting, but the government saw only the actual transfer on Drexel's books, which occurred after the meeting. This seemed suspicious. It turned out, however, that while Drexel's books reflected the purchase on the day it was made, the transfer had been delayed because Milken needed Drexel's permission to place the bonds in Drexel's profit-sharing account. That permission came days later.

The government's suspicions did seem confirmed when Dahl told the feds that immediately after the meeting, Milken urged the Drexel salesmen to buy Caesar's World bonds. But no other salesmen remembered such exhortations. The clincher came when Milken's lawyers produced one of Dahl's customers who had sold Dahl his Caesar's World bonds at the time. The client remembered—and produced a contemporaneous memo confirming—that Dahl had called to sell him Texas International, not to buy Caesar's World. He sold the bonds only to raise the cash to buy Texas International. When Dahl was shown the memo on the witness stand, his memory was refreshed as to the swap, and he said he would not dispute that version of the event.

Stewart must have been stunned by Dahl's memory lapse, but he takes no note of this in the material from his book in the October 2 *Journal*. Indeed, in his entire book, Stewart makes barely a mention of the Fatico hearings, which were the only proceedings at which the government's witnesses were exposed to cross-examination by Milken's lawyers. These hearings exonerated Milken on all three of the central charges Stewart had been pressing. On the day the Fatico hearings ended, I called Milken and told him the last small shadow of doubt I had had been expunged by the hearings: "You've now been vindicated by history."

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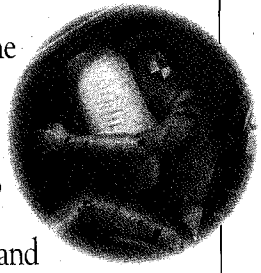
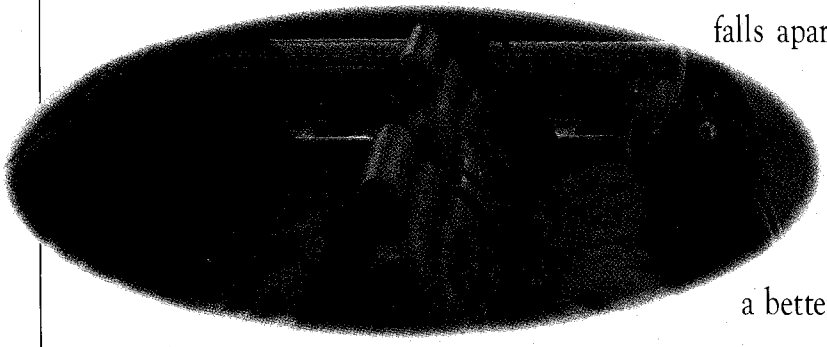
If it had less legroom, a lesser warranty, and cost thousands more, it could be a Cadillac.

Logic would seem to dictate that when you pay thousands of dollars more for a car, you should get a lot more car. Apparently, in the case of the Cadillac Sedan DeVille versus the Chrysler Fifth Avenue, logic does not apply. Both cars provide ample room for six, air-conditioning, automatic transmission, automatic load leveling, stereo sound system, fully reclining seats, all as standard equipment. Both offer safety and performance. A driver's air bag is standard on the Chrysler Fifth Avenue, as is a powerful fuel-injected, 3.3-liter V-6. Anti-lock brakes are also available. Here, however, is where logic totally falls apart. The restyled Chrysler Fifth Avenue costs thousands less, yet it has more rear legroom than the largest Cadillac*. And it offers a better warranty: bumper-to-bumper protection for 5 years or 50,000 miles† So if you're looking for a great luxury car, defy logic. Pay less, get more. Chrysler Fifth Avenue. For more information, call 1-800-4A-CHRYSLER.





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It would have been helpful to the *Journal*'s readers if Stewart had told us something about Dahl's refreshed memory in the Fatico hearings. He ignores it. Instead "Scenes from a Scandal" opens with a dynamite scene, which attempts to leave no doubt that Milken and Boesky were fellow crooks.

The Fatal Phone Call

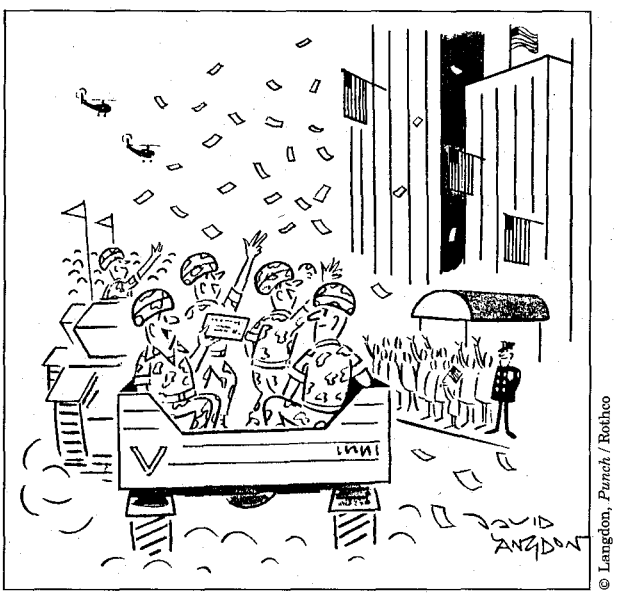
IT IS a Friday morning in January 1985. The telephone rings in Boesky's office. It is supposedly Milken calling. Witnesses in Boesky's office observe him listening but saying almost nothing. When he hangs up, he shouts orders to *buy* Diamond Shamrock and *sell* Occidental Petroleum. He is clearly trading on inside information of a deal between Occidental Petroleum and Diamond Shamrock, known to Drexel Burnham because of Milken's role in financing the deal.

In Stewart's account, on the other end of the telephone we see Milken doing the talking. An employee of Drexel is sitting next to Milken as he tells his secret partner, Ivan Boesky, to buy Diamond Shamrock on information not available to the investing public. It is a blatant felonious act of insider trading. The employee at Milken's elbow is James Dahl.

The page-one editor of the *Wall Street Journal*, the most important business newspaper in the world, goes on to tell us there was a secret arrangement between Michael Milken and Ivan Boesky to split, fifty–fifty, all the ill-gotten gains from their secret trading, which had been witnessed on both ends of their long-distance telephone scheming by various employees who happened to be sitting around.

Yes, *long-distance* telephone scheming. Milken is in Los Angeles and Boesky is in New York. This detail is the fatal flaw in Stewart's story; indeed, it accounts in large measure for why the federal prosecutors chose not to drag this dynamite story into the special pre-sentencing hearings. Records presented by Milken's attorneys proved conclusively that the three-hour time difference between New York and L.A. meant the Diamond Shamrock info was officially public knowledge when Boesky was supposedly ordering purchase of the company's shares on inside information. According to sign-in sheets presented in evidence, Milken could not have known about the deal until sometime after 9:07 A.M. Pacific time, Friday, January 4, 1985. By then, trading on Shamrock and Oxy stock had been suspended. But Stewart does not relate that in his account. Nor does Stewart report that Boesky had accumulated a large position in Diamond Shamrock in the months prior to this deal with Oxy, and hence that his interest long preceded any merger talk.

Stewart does report that on the following Monday, Diamond Shamrock's board unexpectedly rejected the deal. He writes: "Told of the development, Mr. Milken grabbed the phone, called Mr. Boesky, practically screamed: 'The deal didn't go through. We've got to get out of the position.' " In fact, if James Dahl overheard anything, it would have been this Monday call, and it would have been *perfectly lawful*. Dahl told the government simply that he overheard Milken on the telephone advising Boesky how best to unload his position in Diamond Shamrock. Dahl said nothing about who placed the call, let alone that Milken grabbed the phone and started screaming. Dahl never told the government nor testified that he heard the dynamite phone call on the previous Friday with which Stewart opens his article. Indeed, Milken claims that Dahl never sat next to him at any time.



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"Gee, fellas—junk bonds."

The "Scenes from a Scandal," reported by the *Journal*, *simply did not take place*. Indeed, the government knows this scene could not have taken place as described, which is why it did not drag this dead cat into the Fatico hearings. How can Stewart have gotten it so wrong? More than a year after the feds found the Diamond Shamrock story to be a red herring, it is the lead evidence of Michael Milken's evil empire in the *Wall Street Journal*. Did the U.S. Attorney's office simply forget to inform Stewart that its original surmise did not pan out? Did Stewart's research assistant get mixed up on the times and dates? Did the *Journal* ask anyone in Milken's corner to explain the sinister phone call? If they had done so, they surely would have learned what you are learning here.

What about the fifty–fifty deal between Boesky and Milken? How was Boesky going to pay Milken his half of the millions they were making on the sly, but overheard? Stewart tells us in his book, on page 322, that the government "gained the cooperation" of Charles Thurnher, the chief accountant of Drexel's junk-bond department, in order to find out. Thurnher had kept a list of the trades involving the Boesky organization. Yet by Stewart's own account, Thurnher's cooperation didn't help the government much:

> Like Boesky, Milken had kept his employees largely in the dark. Milken had never told Thurnher why he was having him to do various things, so he was of little use in figuring out Milken's motives and state of mind. Thurnher testified at one point that Milken hadn't even asked him to keep the list; on another occasion, he said Milken had described the list as "all a bunch of bulls--t."

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But suppose part of the secret deal was to have the records kept on Boesky's end? An accountant named Mooradian did indeed confess to juggling the books for Boesky, but said nothing of an interface with Milken. The government also targeted Michael Davidoff, Boesky's head trader. But as Stewart reports on page 319 of his book: "Davidoff was of little use on the Drexel–Milken front, since he knew nothing about the secret arrangements beyond some of the trading he oversaw."

For three years, the *Wall Street Journal* waited to hear Ivan Boesky, or at least a Boesky associate, spill the beans on Michael Milken. Yet when Judge Wood at last tells the feds to take their best shot in the presentencing hearings, *the only witness they call who has anything to do with the Boesky organization is Michael Davidoff*, who Stewart acknowledges doesn't know anything! What's going on? Although the stories as described here have been available from government sources for a year, the *Wall Street Journal* still prints the original raw accusations leaked to Stewart by Rudolph Giuliani three years ago.

The Ox-Bow Connection

A REPORTER for the *New York Observer* called me recently. He was doing a profile of Stewart and wanted to "get a dissenting view." The reporter said he had interviewed many journalists who knew Stewart and his work, and all of them said he was a scrupulously careful reporter, above reproach. How did I explain that?

I asked if he was familiar with the 1943 Henry Fonda movie *The Ox-Bow Incident*. In this Western classic, a posse of ranchers and ranch hands is assembled to pursue some cattle thieves. They catch a group of men, who insist they are innocent but who are in possession of a few head of cattle with a local brand. The ranchers hold a trial on the spot. All but Henry Fonda cast "guilty" votes and the thieves are lynched. As the ranchers make their way home, they are met by one of their fellows, whose brand the stolen cattle carry. He tells them that he had in fact sold a few head to a group of men who were heading west to start their own ranch.

The ranchers in *The Ox-Bow Incident* did not consider themselves a "lynch mob." They did not seem irrational, inflamed, bigoted, swept by emotion and angry self-righteousness. They felt strongly enough about justice in this new country to go through the motions of a trial by jury on the stump, and even to permit prayers at the executions. The problem, as with Stewart and the *Journal*'s news pages, is that *they had made up their minds*.

Neither Giuliani nor Stewart had ever met Milken. But they *knew* he was a crook. They *knew the type*.

In his *Journal* article, Stewart tells us: "As early as 1982, Mr. Milken was making $45 million a year, but his aides were struck by how obsessed he was with enhancing his wealth and power. Chatting with Mr. Winnick one day, Mr. Milken looked at the view across Century City and West Los Angeles to the coast and asked, 'What do you think it'd cost to buy every building from here to the ocean?' "

That's real greed, isn't it? But many of Milken's friends remember this as a comment he made in those years whenever someone complained that the Arabs would soon own all of Los Angeles, and then the whole country. It is a rhetorical device I've heard him use in a more recent context when the topic was the Japanese buying up all of America. It becomes a silly fear once you spend a moment putting a price tag on any serious stretch of real estate. Milken made the point numerous times, both in speeches and in casual conversation. Yet one man—Winnick—misunderstands the context, tells the story to Stewart, and it becomes the official version.

Aha! But didn't Milken in 1985 repeatedly complain to Drexel's Chief Executive, Fred Joseph, that he was cheated out of a $15,000 finder's fee? Stewart uses this anecdote to put the finishing touches on his evidence of Milken's drooling greed. And in a billionaire, worrying about a comparatively small sum would be real greed. But those of us who know Milken to be compulsively generous can recognize this story of a trivial record-keeping error as being mock serious, similar to a standing joke among regular golf partners that one of them was cheated on a $5 Nassau. Stewart also tells the *Journal*'s readers that by 1986 Milken had begun wearing "French-cuffed shirts" and demanding to be served on "china" instead of his usual paper plates. Here, Stewart is scrambling to paint Milken as Boesky. I would bet the only time Milken has ever worn a French-cuffed shirt is to a black-tie dinner, and almost every black-tie dinner he has attended has been a charity dinner he was supporting. He might ask for his food on a dinner plate instead of paper, but he would never think of asking for "china." He is oblivious to the trappings of social prestige. For many years prior to his imprisonment, he spent at least one afternoon a week teaching a math class to disadvantaged children at one of the "Help Schools" he and his foundations supported in Southern California. But Stewart had found to his dismay that Ivan Boesky was a criminal, and if you know one Boesky, you know them all.

Mike Milken is not a Jay Gould *type* or a Diamond Jim Fisk *type* or an Ivan Boesky *type*, poised to make a killing in the market through connections. Milken's life and work had been in the tradition of an Andrew Mellon, a John D. Rockefeller, an Andrew Carnegie, an A. P. Giannini, those great men of our nation's business history who each saw a different way of combining capital and labor to produce great leaps in human productivity—thereby enriching the lives of all mankind. Milken's wealth grew *incidentally*, and he gave much of it away in a vast network of charities. Yet for all that, Michael Milken, who has become my friend during this ordeal, is in prison. He will stay there a long time, unless the people who put him there—most particularly the editors of the *Wall Street Journal*—realize what a profound mistake they have made. □

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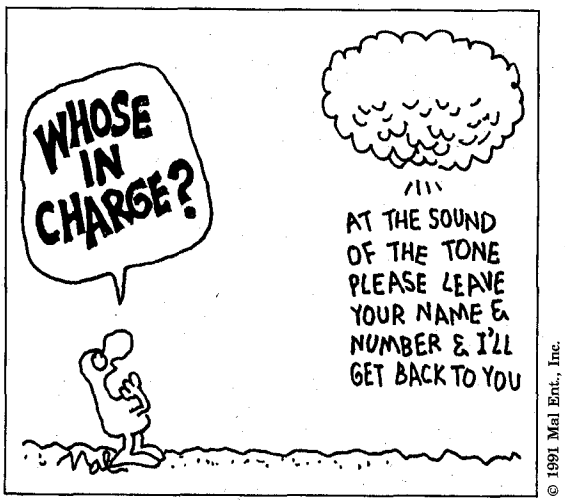
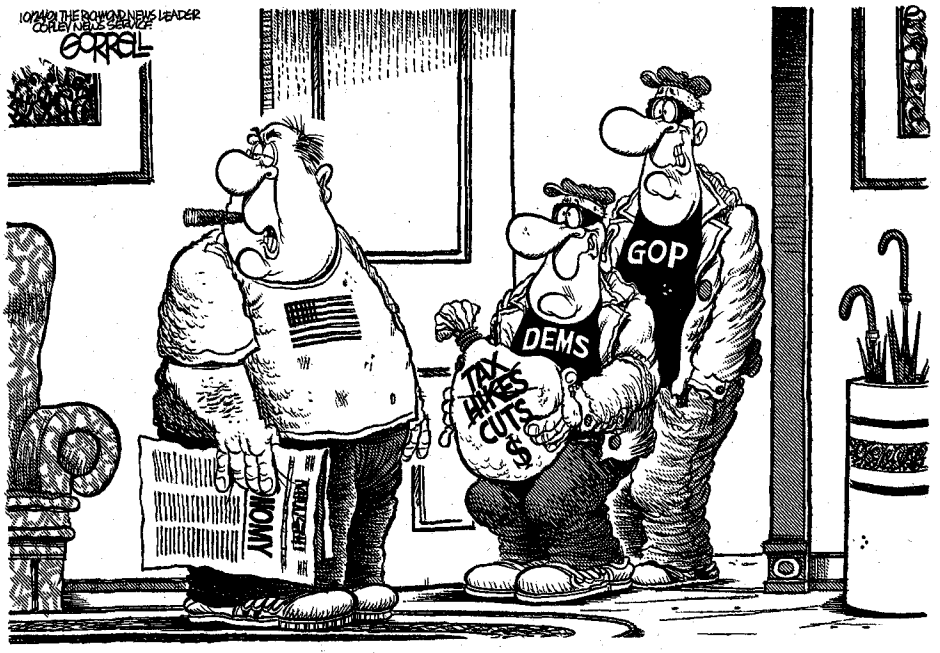
help





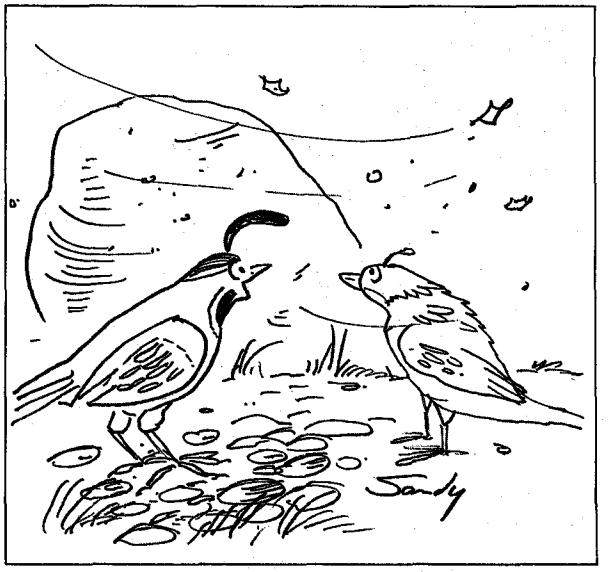
"Madge? . . . It's the bums that mugged us last year. . . . They say they've changed their minds!"

"Mrs. Marcos's . . . bullet-proof bra and other underwear will be given back to her when she returns from exile next month."
—New York Times

Ye Gods, Imelda!

Re bullet-proof: I think of vests,
  The ones worn (wisely too) by cops.
But bullet-proof describing breasts
  And bras and ladies' rounded tops?
The form divine's enough to spoof
When cops and *cups* are bullet-proof!

MAUREEN CANNON



"You are beautiful *with your feathers all windblown!"*

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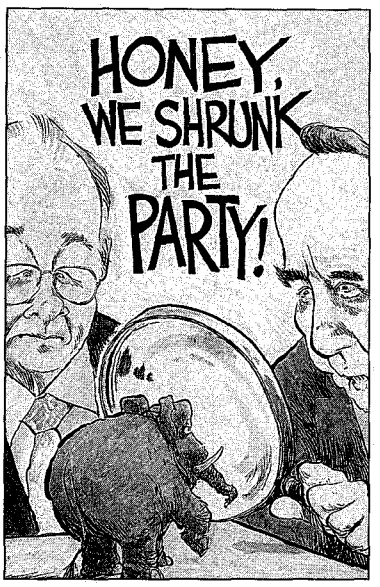

The GOP's Good Losers

THE TWO BOBS

Meet Bobs Michel and Dole, establishmentarians extraordinaire. As long as they're the Minority Leaders, they don't seem to mind that their troops are more of a minority with every election.

WILLIAM McGURN

WHEN Warner Brothers cast Ronald Reagan alongside Pat O'Brien in their 1940 classic *Knute Rockne—All American*, they could not have known they were creating a metaphor for a future President. In its usual way Hollywood played down the Rock's biting sarcasm in favor of sentiment, reaching a teary pitch in the famous "Win one for the Gipper" halftime speech that sent a divided Notre Dame football team back onto the field looking for blood. Less well known is an equally telling incident, which the film omitted. After listening to a whole conversation about what good sports his Notre Dame players were when they lost, Rockne couldn't take it any longer. "Show me a good and gracious loser," he said curtly, "and I'll show you a failure."

With an attitude like that, Rockne never would have made a Republican. A Reagan Democrat, yes. But a Republican? Hardly. Today—eleven years after the Gipper took the White House with a brand-new GOP majority in the Senate, seven years after his mandate was renewed and the established Beltway wisdom about the inevitability of one-term Presidencies was turned on its head, and scarcely three years after Vice President George Bush was swept into the Oval Office as the anointed heir of the Reagan Revolution—the Republican Party remains a good and gracious loser. Worse than that, at a time when Republican Party registration is on an upswing (as many people call themselves Republicans as Democrats these days), Republican numbers in both Houses of Congress have been shrinking: in the Senate, from 53 Republicans at the outset of the Reagan Administration to 43 today: in the House, from 192 in 1980 to 166 today.

Presiding over these disastrous losses are the best sports the Congress has ever had. These are the two Bobs: Bob Dole and Bob Michel, Senate and House Minority Leaders.

Fair enough: some of the blame rests with George Bush. But blaming Bush for the GOP's wimpiness in Congress is a chicken-or-egg proposition. While Dole and Michel would probably perform better (as they did under Reagan) with a President who was out in front on the issues, Bush himself would unquestionably be better were he served by House and Senate leaders who weren't so defeatist. Congressional leaders, after all, tell Presidents what can be done and what can't. "What comes out of George Bush's mouth is George Bush's," concedes an Administration official. "But if he were meeting weekly with Cochran–Gingrich instead of Dole–Michel, you'd have the President's capital-gains-tax cut on the table instead of worker's compensation. No President is going to put his credibility on the line when the top two Republican leaders are telling him he can't win."

Establishment Men

LIKE BUSH, the two Bobs are charter members of the Republican establishment. Unlike Bush, however, they are also members of a more significant establishment—the congressional establishment. Hostile to the supply-side economics that gave Republicans their best decade ever and Dole a stint as Majority Leader, both men have more in common with the Congress President Bush is attacking than the one he would like. Bob Michel has labored for four decades in the Republican vineyard without ever having tasted the power of a committee chairmanship; if everyone in the House retired today he would draw the biggest pension. Over in the Senate, only four men have served longer than Dole, all but one of them Democrats. In every sense of the word, these are pre-Reagan, Nixon/Ford Republicans who believe that getting along with the Democratic majority is more important than advancing the Republican standard.

Just a few days ago Bob Dole said as much on the floor, when George Mitchell warned that unless the Senate got through a civil-rights bill, an environmental bill, an EPA-Cabinet-level bill, and the parental-leave bill, senators wouldn't go home on time. Far from taking issue with Mitchell's laundry list of liberal concerns, Dole said he hoped to "accommodate the Majority Leader" in moving all this legislation through expeditiously. Senator Thad Cochran (R., Miss.), incensed by what he was hearing, rose to remind the chamber that what Mitchell put forward was "not on the Republican agenda." Mr. Dole was silent.

Mr. McGurn is NR*'s Washington Bureau Chief.*

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In the case of the civil-rights bill, Dole made good on his promise to accommodate Mitchell. The package was hatched in one of those backroom deals in Dole's office with almost no other Republicans knowing what he was up to. The next day, staffer Sheila Burke kept Republicans from even *looking* at the bill until after the Democrats had had a chance to consider it at their morning conference. Republicans didn't get to discuss the compromise until the afternoon, by which time Teddy Kennedy had already put his spin on it (the bill would negate several Supreme Court decisions, Kennedy welcomed the President's change of heart, etc.). No wonder some call Dole the "Assistant Majority Leader" behind his back.

The tax summit was a Bob Dole classic. In fairness, Dole had not ever claimed the tax issue; indeed, Bush buried Dole in the New Hampshire primary by telling people Dole would raise their taxes and he wouldn't. After Bush reversed himself last year, Dole was asked how Republican candidates should deal with the change. "Tell them to get some lip balm," he quipped. Taking the pro-tax side in last year's budget summit was sweet vindication for Dole.

The other reason for Dole's enthusiasm was that, like Bob Michel in the House, Dole sees himself more as the President's emissary to Congress than as congressional Republicans' emissary to the White House. Dole's voting record (ACU: 83 per cent) is pretty solid. As he never tires of pointing out, he sides with the President on virtually every vote. The problem is, he may be with the President on big votes, but he's not with Republicans on the things that matter most: amendments.

In the Senate, amendments are the lifeblood of a minority. Precisely because the minority party is in no position to dictate terms, all it can hope to do is to put its opponents clearly on record on a host of issues so that when campaign time comes around, the other side is vulnerable. Under Senator Howard Baker in the late 1970s, the Republicans did just this, using amendments to force the Democrats to make clear their outrageous positions on everything from SALT II and school prayer to busing, welfare, and the Panama Canal. Republican challengers in 1980 were able to draw on these recorded votes, and the Republican majority that emerged was no coincidence. Prominent liberals such as Birch Bayh and Frank Church went down to defeat as challengers were able to run ads drawing on this Republican-created record.

Under Dole all this has changed. The point of a backroom deal is always to get unanimous consent—and so Republican senators offering amendments find their toughest opponent is not George Mitchell but Bob Dole. Remember the recent Helms anti-pornography amendment? Dole against. Or Don Nickles's attempt to make the Occupational Safety and Health Act and the Fair Labor Standards Act apply to Congress (just before Chuck Grassley finally succeeded in getting a similar amendment applying the civil-rights bill to members)? Dole missing in action. A line-item-veto amendment? Haven't had one in years.

"If there's a gut, wedge issue, he'll water it down," says one Senate staffer. "If Mitchell savages Republicans, the response will be bland. So there's no attempt to establish a clear Republican identity that voters might respond to at election time."

Same Words, Different Tune

THEN THERE'S the House's Bob. Same story, different style. Well, not so different. Cut to October 6, 1990, the day the government shut down because renegade House Republicans helped defeat the first tax package offered up by the summiteers (including the two Bobs). It was a Saturday, and most of the congressmen didn't want to be there. Suddenly, Majority Leader Richard Gephardt asked for authority to recess and reconvene with two hours' notice later that night. In response Vin Weber (R., Minn.) rose to ask whether this meant that the Democrats and the GOP negotiators were planning to come back with a budget at two or three in the morning, giving Republicans no time to study it. Marge Roukema (R., N.J.), a moderate, asked Michel what every Republican was thinking: "I want to ask our leader, are you confident that you can protect the interests of the minority here under this procedure?"

Michel huffed and puffed a bit about a leader's knowing enough not to get out too far in front of his troops, and

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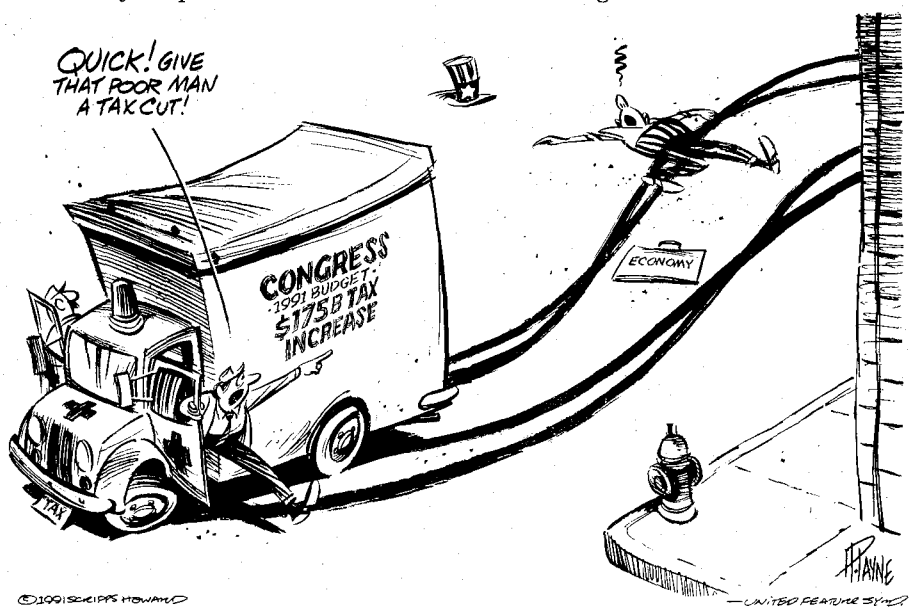
added that he would not spring a package on people without enough time for them to read it. "I would honor everyone's feelings in that regard," he told them.

He was lying. In fact, the intention of the Democratic and Republican leadership was to bring back the first budget, rejiggered around the edges, in the hopes it would squeak through in the dead of night.

Michel's double-dealing on the tax issue was not unexpected. After all, Michel had been in on the negotiations from the start and had never really been a tax-cut enthusiast. So put out were House Republicans that, in the midst of all this, not only did they adopt a strong anti-tax resolution put forward by Representative Dick Armey (R., Tex.), but they also included language directing their leaders to transmit this and no other message to the White House. It was a stinging rebuke.



Unhappiness with Michel's behavior during the summit and the not-unrelated loss of nine House seats in last November's election made him vulnerable for the first time in the leadership elections shortly thereafter. Although Michel never said so, the impression was that the 1990 leadership vote would be the last hurrah for the old man. The feeling was that Michel was going to step aside because of redistricting rather than challenge Illinois neighbor Representative Ed Madigan (whom Michel had supported for Whip over Gingrich in early 1989).

But a funny thing happened. Michel later went to the White House and explained that if he were redistricted out because he had promised not to challenge Madigan, Bush would be faced with the possibility of Gingrich as Minority Leader. Hesto presto, Madigan became Bush's new Secretary of Agriculture. That way, Madigan had a job, Michel could keep his seat, and Gingrich would go nowhere. Now there is no talk of retreat. "He's going to die with his boots on," says one House staffer. And maybe remain Minority Leader thereafter.

Michel's one advantage over Dole is that whereas Dole is feared by his colleagues, Michel gets on with most of his. At party gatherings, Michel, one of the all-time great schmoozers, can typically be found standing near the piano, belting out "Old Man River" or "Chattanooga Choo-Choo" in an impressive baritone. "Everyone thinks of him as grandpa, and of his shortcomings as gramps asleep at the wheel," says one House member. "But that doesn't give him enough credit. He cultivates that image, because no one wants to beat up on grandpa. But he's much more calculating."

Indeed he is. Kindly, gentle Bob Michel is not so nice when faced with a dispute. In fact, he can get downright personal. At a recent leadership meeting over at the White House, Michel savaged Senator Bob Kasten (R., Wisc.), who had just introduced a pro-growth tax-cut package with a strong pro-family component. Instead of addressing the merits, Michel attributed Kasten's endorsement of a capital-gains-tax cut to personal motives, in this case a desire to please his "Fortune 500 contributors." Similarly, during the whole budget summit Michel bypassed debate on the deficit and castigated his opponents for their "parochial concerns."

Michel combines this tendency with a leadership style that plays people off against each other. Today he plays Newt Gingrich or Vin Weber off against Mickey Edwards (R., Okla.) or Jerry Lewis (R., Calif.). When Senator Trent Lott (R., Miss.), HUD Secretary Jack Kemp, and Defense Secretary Dick Cheney were all in the House, he did the same thing to them; one reason these people are no longer in the House. His success is partly due to never really allowing an issue to come to a head. "Leadership meetings in the House rarely end up with a Republican position," says a staffer. "So people end up talking about what Heather Foley [Speaker Tom Foley's wife] wants to do about some Capitol renovation."

Fading Hopes

AND SO the Republican Party lurches from election to election, the prospects of ever taking control of Congress fading with every day the two Bobs remain at the helm. Just two years ago, Republicans were fired up about taking advantage of the planned retirement of dozens of incumbent Democrats in 1992 and seizing the House. But under Michel's leadership—which has seen the Republicans lose seats in every contest save for 1984, when Reagan was reelected—all such talk has vanished.

Ditto for the Senate. Dole has an unblemished record of losing Republican seats in every election since he became leader. This year, in the wake of George Bush's stunning victory in the Gulf and with some prominent Democrats left out on a limb by their Vietnam-style antiwar fever, Republicans vowed to make the Democrats pay. A number of vulnerable Democratic senators—Terry Sanford (N.C.), Wyche Fowler (Ga.), Fritz Hollings (S.C.)—were targeted, and people were even saying the Republicans might end up on top in the Senate again. But now they are all afraid that what happened to Richard Thornburgh will happen to them. Today rumors have Dole stepping down (he has yet to announce he's running for re-election next year), but colleagues aren't buying. "This guy can't live without it," says one Republican senator. "Here's a guy with a

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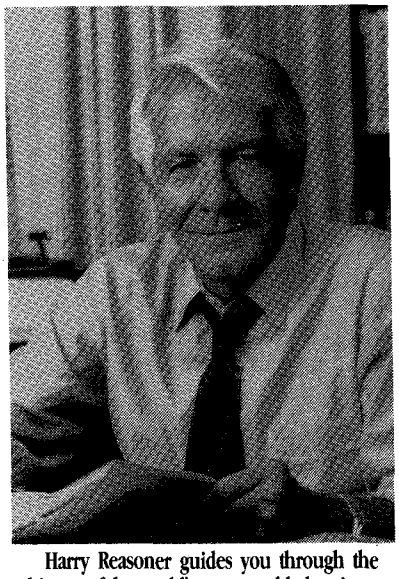

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pretty wife, and he's here till midnight every night."

Why do the Bobs get away with it? Largely because Republicans on the Hill are more comforted by the thought of remaining incumbents than inspired by the idea of winning control. In a party with an almost Confucian deference to hierarchy and grey hair, defeating either Michel or Dole for leadership would require a sustained, determined, and probably somewhat nasty campaign—and any member who tries to kill the king had best make sure he succeeds, or he'll soon find himself parking out in Bethesda and banished from any hope of a good committee assignment.

In the meantime, the party overlooks opportunity after opportunity. Before he was even in the leadership, Gingrich brought down Speaker Jim Wright (D., Tex.), but House Republicans under Michel have blown opportunities to press the Democrats on the savings-and-loan scandal, on spending, even on the check-bouncing. In the Senate, meanwhile, Dole has refused to press the quota issue, the war vote, the Clarence Thomas nomination, etc. Yet the two Bobs are still sitting pretty. People wonder when they'll step down; Republicans never speak of booting them out.

"Under these guys the Republican Party no longer behaves like an opposition party but like a minor partner in a coalition," says one Capitol Hill Republican. "People talk about a third party. Hell, I'd settle for two." □

The EPA versus Science

GREEN GROWS THE DOWNTURN, O!

Toxic! Dangerous! The greatest hazard we face! Asbestos? No: the EPA

PETER SAMUEL

THE U.S. Court of Appeals recently did something remarkable: it overturned a 1989 ruling by the Environmental Protection Agency (EPA) banning asbestos. In so doing it set a precedent requiring regulators actually to justify their actions with some science. Since asbestos was the first substance the EPA had tried to ban totally, this was a major setback to its authority.

Some of the court's judgments in *Corrosion Proof Fitting* v. *EPA* make one rub one's eyes in gratified astonishment. The court pointed out, for example, that the EPA is required by law to "articulate a reasoned basis for its rules." It noted that the Toxic Substances Control Act (TSCA) provides a graduated list of measures on the way to a complete ban; the EPA violated the act by failing to consider measures of lesser severity. The act also requires the regulators to take into account the toxicity of alternatives to the substance it proposes to ban. Some of the alternatives were themselves carcinogenic, as the EPA admitted; and yet it failed to make proper comparisons between the risks of asbestos and the risks of the possible substitutes.

Zero Risk

WORSE, the EPA flouted the law by taking a "zero risk" approach. "Congress did not enact the TSCA as a zero-risk statute," the court declared. But the EPA had neither calculated the risk levels for intermediate levels of regulation nor explained why it failed to do so. Finally, the court pointed out that the TSCA requires the agency to use the "least burdensome requirements" in its pursuit of health and safety, and that there was no evidence submitted that the EPA had considered the burdens of so extreme an action as a total ban for consumers and producers. For instance, perhaps the most important use of asbestos is in brake linings. Manufacturers have developed kevlar and composite alternatives, but they are considerably more expensive and some concede they are not as good as those using asbestos, which seems almost uniquely capable of handling heat and stress. An asbestos ban could increase highway fatalities and injuries—a factor the EPA apparently failed to weigh against the health risks of asbestos particles in the air.

Indeed, it failed to compare the risks of asbestos more generally. The EPA and the Agency for Toxic Substances and Disease Registry recently released a "Revised Priority List of Hazardous Substances." This list ranked asbestos ninetieth. Far higher on the list are vinyl chloride, chloroform, DDT, creosote, toluene, nickel, manganese, zinc, chromium, methane, naphthalese, radium, uranium, copper, and phosphorus—plus a huge slate of less well known but important industrial compounds. If the EPA judges asbestos so hazardous as to warrant a total ban, why not ban the 89 more hazardous substances?

The truth is simply that the EPA's banning of asbestos was a capricious act, which no other country has emulated. The Canadian and various European governments, all subject to pressure from environmental groups and the scare-mongering media, have endorsed the continued controlled use of asbestos. A World Health Organization task force on asbestos in 1988 recommended that it not be used in insulation but recommended against any other bans. It said that safe work practices can protect brake installers and repairers and that "no detectable risk" is posed to the general population from the continued use of asbestos in brake linings.

In short, the EPA ban was a piece of environmental extremism. But the environmentalist line is that this decision proves the weakness of the TSCA and the need for tougher legislation imposing unchallengeable bans. In-

Mr. Samuel runs Greentrack, a Washington, D.C.-based news service that covers environmental issues from a skeptical perspective.

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deed, an emerging environmentalist theme is that hazardous substances should be seen not as risks to be dealt with by prudent handling, but as evil items that mankind should banish.

Greenpeace to the Rescue

GREENPEACE, for example, last summer started a campaign for the total banning of chlorine, claiming that various trace chemical byproducts such as dioxins and PCB have been contaminating fish in the Great Lakes and hurting the health of fish-eaters.

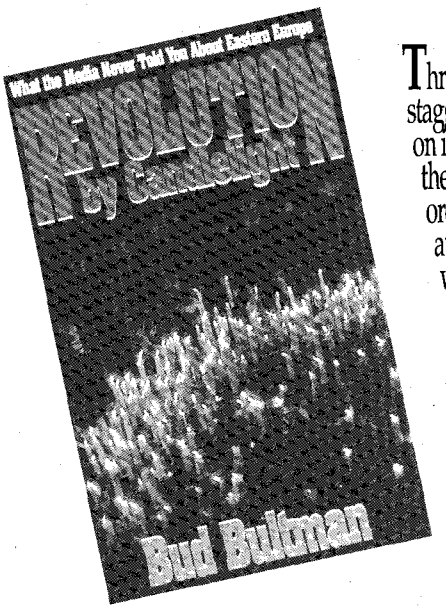
Chlorine is a ubiquitous chemical raw material. As a germicide it has long been the basis for treating water for safe drinking and bathing. As a bleach it is essential in the manufacture of paper products, including the precious recycled version. It is a major building block in the creation of fertilizers and plastics, and it ends up in a vast array of manufactured products, including adhesives and lubricants. A ban on chlorine would force the closure or massive reorganization of a considerable portion of U.S. industry, producing a significant drop in living standards and industrial competitiveness.

Other environmentalist proposals to ban substances because of their "toxicity" have penetrated deep into U.S. politics and government. Such proposals are at the heart of a major legislative initiative this year: S-976 or the Resource Conservation and Recovery Act Amendments of 1991. This bill was introduced by the chairman of the Senate Environmental Protection Subcommittee, Max Baucus (D., Mont.), and supported by John Chafee, the ranking Republican. Title II of this bill—Toxics Use and Source Reduction—sets up elaborate administrative machinery for detailed central planning of the phaseout of all industrial materials deemed toxic or hazardous—even though these hazards have been managed reasonably successfully, and even though the benefits of using them outweigh the risks.

The Baucus–Chafee bill states that in addition to preparing a plan every two years on the intended phaseout of hazardous materials, each industrial facility must be prepared to submit a performance report indicating how far it has implemented its plan. The bill provides a role for activists to help police the ban: "Any person who can make a showing that a facility is not making a good faith effort . . . may request the Agency . . . to certify whether the facility is in compliance. . . ." Laggards will be subjected to a "facility audit." There is a provision for technical and economic feasibility studies and public hearings, but in the end the firm can be forced to modify its toxics use "if in the judgment of the Administrator" it "needs improvement."

Toxics use and source reduction (TUR in the jargon) is a quantum leap from pollution control and waste management. Traditionally it is accepted that a chemical plant, say, or an oil refinery is routinely in the business of handling toxic and dangerous materials. The public interest is served by regulating the safety of the plant to ensure that workers inside the plant, and people outside it, are not harmed in an accidental spilling or rupture of containment vessels and conduits, and

Communism:
The End of an Era
The story the media never told you.



Throughout Eastern Europe Communism staggered and fell, while the world looked on in awe. But what forces were behind these historic changes? What motivated ordinary citizens to challenge the awesome powers of dictatorship and win?

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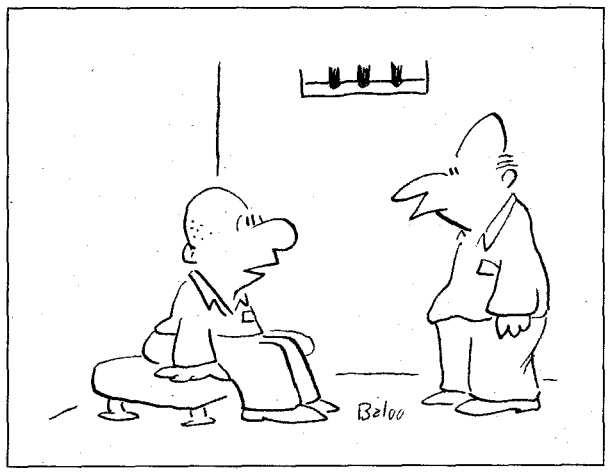
that the plant does not pollute the surrounding air or ground. Risk is accepted, but the chance of damage is to be kept at some reasonable level of improbability.

By contrast the philosophy of TUR is that toxic chemicals are inherently undesirable and should be progressively outlawed *just because they are toxic*, even if they have so far been safely managed in industrial plants and even if they produce harmless amounts of waste. That absolutist approach to safety flies in the face of the common-sense acknowledgment that all of life represents a deliberate balancing of benefits and risks. If a chemical substance is to be banned solely because it is hazardous, then the banning process should logically apply not only to substances but also to devices—cars for a start, then planes and boats. And to energy sources. Perhaps electricity? What about fire?

The Baucus–Chafee bill has draconian enforcement provisions and sweeping arbitrary powers for the Administrator. It says, for example, that "whenever on the basis of any information, the Administrator determines that any person has violated . . . any requirement or any permit issued . . . the Administrator may issue an order assessing a civil penalty [and] requiring compliance immediately or within a specified time period. . . ." Penalties may be up to $10,000 per day of noncompliance for each separate violation. The Administrator is encouraged to engage in dealmaking with culprits: "In assessing such a penalty, the Administrator shall take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements." There are similar penalties of up to $10,000 per day for violation of compliance orders, and criminal penalties of up to one year in jail for providing the Administrator with false information.

The bill therefore vests in the Administrator powers and responsibilities for environmental research, economic planning, company planning, company plan assessment and approval, administration, investigation of compliance, prosecution, judging, plea-bargaining, and sentencing—an extraordinary breadth of roles that would make him truly an Environmental Czar.

S-976 is bizarre economics. The profit motive already ensures that companies will minimize their use of toxic substances, since these substances are expensive to procure, produce, and handle, and they expose the companies to potential lawsuits and penalties. No capitalist enterprise wants more of the repulsive stuff than it absolutely has to have to turn out products in demand in the marketplace. A Baucus–Chafee regime of central planning for below-market use of toxic substances must therefore result in costly substitution of raw materials and/or the inability of producers to meet market demand. American producers will lose orders to foreign suppliers not similarly hampered, and U.S. jobs will be lost by the hundreds of thousands.



"I got six months for arson and ten years for failing to file an environmental-impact statement."

In turn, those countries choosing not to emulate U.S. phaseouts and bans will be pilloried for unfair trade practices. The U.S. economic decline under the Baucus–Chafee blight will spur demands for environmental imperialism—U.S. pressure on other governments to adopt similarly "enlightened" environmental planning.

Green as Gosplan

MEANWHILE in the House, Al Swift (D., Wash.), chairman of an Energy and Commerce subcommittee, has distributed for comment a Resource Conservation and Recovery Act (RCRA). This bill provides for a comprehensive system of planning and regulation of industry by way of controlling the materials it uses and dictating the way it disposes of them. It also calls for detailed control of the whole trash hauling and disposal business. Each state is required to survey current solid-waste capacity, project the life of each dump, identify additional capacity, and devise "a process to ensure the facilities are constructed on a schedule enforceable by the state."

Each state plan will have to prescribe the following: source reduction and recycling targets for industry; management of household waste, yard waste, and large appliances; identification of markets for recyclable materials; the use of schools to develop "educational programs" in favor of this process; the purchase of products made with specified minimum percentages of recovered materials; the maintenance by business of records of compliance and the submission of reports on plans to meet goals; and an annual report by each state to the Administrator of the EPA on achievements under the planning process.

The term "target" is frequently used in the bill, suggesting to the unwary a degree of voluntariness. This is belied by the detailed language of the bill, for example: "Each manufacturer of a product listed in the table in subsection (c) *shall ensure that*, no later than July 1, 1995, not less than the minimum content percentage (by weight) of the product consists of post-consumer materials. The determination of whether a product satisfies the requirement of the preceding sentence may be made by sampling . . . or by such other methods as may be approved by the Administrator. . . ." The bill provides for an "administrative penalty" of up to $75,000 for each violation.

The House bill, like the Senate one, is sprinkled with references to the Administrator as the ultimate authority for the detailed system of controls and planning. If the Democrats succeed in translating their environmental extremism into law, Washington would become an ideal place to which to relocate unemployed Gosplan staff. These officials, now being laid off by the decentralizing Soviet Union, would be well qualified to take on the task of enforcing the Democrats' scheme of detailed regulation and control of U.S. industry. □

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THE STONE BOAT

Notes toward a definition of cultural bureaucracy.

DANIEL PATRICK MOYNIHAN AND OTHERS

■ *Extracts from the* Congressional Record, *Vol. 137, No. 111.*

MR. MOYNIHAN: The Senate Labor and Human Resources Committee rejected by one vote the controversial nomination of Carol Iannone to the advisory council for the National Endowment for the Humanities. The view of the majority appears to have been that Dr. Iannone had insufficient citations. It was also alleged that her principal publications have appeared in *Commentary* magazine.

A curious allegation: merely a *Commentary* writer. And a revealing one. Just possibly Washington is the only capital in the Western world in which such an allegation would be made with intent to harm. In London, Paris, Rome, Stockholm, to say of a professor of literature that his or her principal work has appeared in *Commentary* is—well—to say that this is a critic of the first rank. In the tradition, say, of Lionel Trilling.

I ought to declare my interest here. I first appeared in *Commentary*—Lord save us—thirty years ago this May. My article was entitled "Bosses and Reformers: A Profile of the New York Democrats." I had been involved in New York Democratic politics for some years by then. I had watched the developing divisions within the Democratic Party as between its working-class, mostly Catholic, traditional constituency, and a new group of middle- or upper-middle-class, mostly Protestant or Jewish, professionals who were challenging the old-time leaders. Denigrated, of course, as "bosses." As New Yorkers moved into the middle classes, they left the Democratic Party behind. The Irish were even then departing, as Nathan Glazer and I wrote in *Beyond the Melting Pot*. But something in the Jewish tradition said otherwise. Middle-class professionals they may be, or may have become, but they remained Democrats. But, as Bernard Shaw might say, with different tastes.

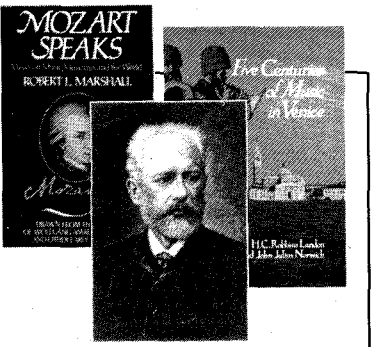
All hell broke out over the nomination of John F. Kennedy for President in 1960. Kennedy was a Catholic; Kennedy was a conservative. And his brother—well. The first statement was a fact, the second a perception. But among New York liberals perceptions were facts. And so the word went forth from Eleanor Roosevelt, Thomas K. Finletter, and yes, our beloved Governor Herbert Lehman, that Kennedy would not do. The reformers hated and feared him. Not least because the "bosses" supported him. Now these bosses were, generally speaking, perfectly democratic Democrats, and Kennedy was the overwhelming favorite in our party. But not of the reformers. The scenes in the Los Angeles Convention were tumultuous, often painful.

When it was all over, it seemed to me a useful thing to try to explain this to the respective parties, neither of which really understood the other. There was no better place to publish such an article than *Commentary*, and I was thrilled when Norman Podhoretz accepted it. A journal such as *The Atlantic* or *Harper's* just wouldn't be interested in what working-class Democrats thought.

That is the point I would hope to make. I very much fear Professor Iannone's troubles arose not from the quality of her work, but from her genes, social and otherwise. She is an Italian, Catholic ethnic with a working-class background.

Mr. Moynihan is the Senior Senator from New York.

New and Notable



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Yesterday's *Wall Street Journal* carried an absorbing review by David Brock of Aaron Wildavsky's new book, *The Beleaguered Presidency*. Professor Wildavsky, now lost among the lotus eaters of Berkeley, retains the streetwise toughness of a native New Yorker. And he can spot what is going on among Democrats. What is going on is the logical extension of the trends I tried to describe thirty years ago. To wit, the Democrats are becoming a "party that delegitimized the Nation's second largest constituency—white, working, Christian males."

I suppose the largest such group would be the female of that species. In any event, Professor Iannone has had a setback on account of it. But I dare to hope that she will not take it personally. Actually, the future should be bright. She has been banned in Boston. No greater fortune ever attended the struggling novelist of the 1930s. Sales would soar outside Boston. Professor Iannone has now been banned in the Democratic Party. What greater fortune could befall an American intellectual in this decadent *fin de siècle*? I wish her well.

■ *From the* Congressional Record, *Vol. 137, No. 120.*

MR. MOYNIHAN: Mr. President, on Friday of the week before last, I spoke here on the floor about the rejection of the nomination of Carol Iannone to the Advisory Council for the National Endowment for the Humanities. There were simple enough reasons for my having done this. Language was used in the hearings that I do not recognize as the language of scholarly disputation; not surely of those gathered under the broad and welcoming tent of the humanities. I was, of course, hearing the language of contemporary politics. I also heard the language of disapproval of New York. Here was a New York author, an adjunct professor at New York University, being denounced for views that may be uncommon in much of the country but are in easy circulation—along with so many others—in my city.

The following Thursday, the *Wall Street Journal* had a short comment on my remarks. They did not fail in their duty to sow discord among Democrats and noted, quite accurately in this case, that I had spoken of the intellectual difficulties that seem to plague our party just now. In all, the journal quoted 68 words of my floor statement, which had been somewhere in the range of two thousand words.

Even so, I was taken aback by the tone of a letter which was "faxed" to me later the same day by Stanley N. Katz, president of the American Council of Learned Societies.

Dear Senator Moynihan:

I had heard indirectly that you were supporting the nomination of Dr. Carol Iannone to the NEH Council, but until I read this morning's *Wall Street Journal* I had no idea that you were accusing Iannone's opponents of religious, class, and ethnic prejudice.

I am outraged by your statement. Perhaps the nine senators who voted against her hate Italians, Catholics, and working-class people (women, too?), but I doubt it.

The organization of which I am President opposed Iannone's nomination in a letter to Senator Kennedy's

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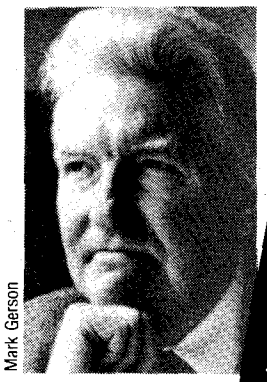
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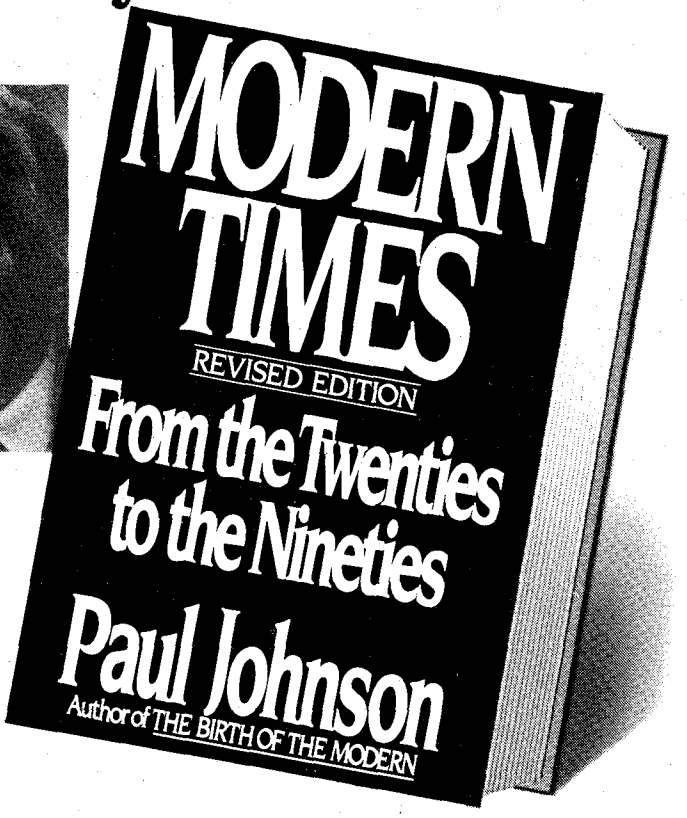

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committee. We are concerned with the steady decline in the overall quality of the NEH Council, given the fact that NEH is increasingly the dominant funder in the humanities in this country.

Something like three hundred thousand post-doctoral scholars belong to the 51 organizations we represent, and you have attacked the integrity of each and every one of them. You have certainly insulted me personally, as a public opponent of the nomination. ACLS is the largest humanities organization in the world, and it resides in New York State—might it not have been a good idea for someone on your staff to inquire into our reasons for opposing Iannone? Or don't you care what we think? Or why we think it? I am simply appalled that a fellow Democrat, intellectual, and academic should resort to such scandalous and irresponsible imputation of bad motives. What should I make of your own?

There are two problems of political correctness in this country, and you have now publicly endorsed the version of PC espoused by Dr. Cheney, President Bush, and the Olin and Heritage Foundations. How good for the Democratic Party is that, Senator? Much more important, how does that aid the free exchange of ideas in a democratic society?

I have never written an angry letter to a public official before, but I have never felt so betrayed by someone I admired.

Yours sadly,
Stanley N. Katz

There are two problems with this letter which lead me to feel that it is not enough simply to ignore it, or to set it aside with a soft answer.

The first is that Dr. Katz chose to write a letter of such fierce conviction on the basis of three brief excerpts from a statement made on the Senate floor without having read the statement itself. There would have been no great problem obtaining the full text. The *Congressional Record* reaches New York. In the event the mails had proved deficient, I would happily have had a copy sent over from my New York office. I would even have faxed a copy!

Just what is going on here? Surely a first principle of scholarly work is to obtain all the available facts. In the humanities this is elementally a matter of getting "the text." By contrast, nothing so afflicts the politics of our time as the 30-second quote taken out of context. Has the disorder spread? Evidently.

But next, what is this business of my having attacked "Something like three hundred thousand post-doctoral scholars belong[ing] to 51 organizations"? "[E]ach and every one of them"? This gets close to Newspeak. Evidently, I have offended The People, "each and every one" of whom will now rise—all together, now—in righteous wrath. There is a whiff of the totalitarian mode in all this.

In any event, I certainly do not like hearing from Dr. Katz that he speaks for me. The current Annual Report of the American Council of Learned Societies has a page headed "Organizational Structure." It begins:

CONSTITUENT SOCIETIES
(WITH YEAR OF FOUNDING)

American Philosophical Society, 1743.
American Academy of Arts and Sciences, 1780.
American Antiquarian Society, 1812.

It happens that I am a member of each of these distinguished bodies. I do not one bit care for the idea that an executive of the ACLS would claim to speak individually for three hundred thousand American—and foreign—schol-

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ars whose irrepressible practice is to speak for themselves.

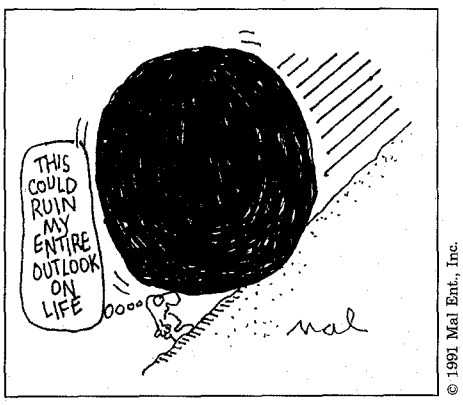
All of which leads me to ask, Are things as bad at American universities as some would have us think? I was asked to give the Stearns Lecture at Andover Academy in Massachusetts in 1973. Starting in the mid-to-late 1960s, university and college campuses across the nation had been the scene of great tumult and disorder. It seemed to many that this could only worsen. I took a dissenting view, I said it was all over. Here is an excerpt:

> I'd like to state that most of the events that tore American society almost apart, or so it seemed, in the 1960s arose from conditions unique to the decade in which they occurred. . . . The 1960s saw a profound demographic change occur in American society which was a one-time change, a growth in population vaster than any that had ever occurred before or any that will occur again, with respect to a particular subgroup in the population, namely those persons 14 to 24 years of age. This sudden increase in population interacted in a synergistic sense with a whole series of other events which originate, if you will, in the world of ideas . . . In the best-known example of the 1960s, people changed their minds about the requirements of justice and decent public policy concerning minority groups at just the moment when the size and location of those groups were dramatically changing. . . .

I begin to wonder. Quiet fell upon the campuses. But did disorder cease? Was I too optimistic? Too shallow? I recall Lionel Trilling's forebodings of the aftermath of that period. He felt, as best I understood him at the time, that an already deep division in American culture had grown even deeper, and that there would indeed be further degradation of democratic dogma. Here is a passage from Noel Annan's remarkable memoir, *Our Age*, just now published in the United States:

> There was, however, another critic of Our Age, [an] American. Lionel Trilling was par excellence a New York intellectual, but his works on Arnold and E. M. Forster and his sympathy for English culture gave him a special place in the affections of Our Age. His referents were Freud and Marx, but the conclusions he drew from them were very different from what the readers of *The Partisan Review* expected . . . Trilling defended Whittaker Chambers and shocked his liberal friends by accepting that Alger Hiss had been a spy. The theme of his volume of essays *The Liberal Imagination* was that liberals had no imagination. He used the word "liberal" in the American sense as the "educated class which has a blind suspiciousness of the profit motive, a belief in progress, science, social legislation, planning and international cooperation." Trilling pointed out that no major great writer had ever celebrated these beliefs and he wondered how liberals could admire those who rejected these beliefs so decisively. He questioned whether the heroes of American modern literature in those days—Dreiser, O'Neill, Dos Passos—were heroes or plodders bereft of subtlety or ideas. He said that sociologists such as David Riesman told us more about society than most modern novels. He was a liberal in the English sense—or rather of those Englishmen who were suspicious of the good intentions of the enlightened.

Having read Jonathan Yardley's withering comment about this most recent "battle between the spent, irrelevant old Left and the oafish, elephantine new Right" I wonder whether we might all look to our manners just a bit. Mind, many of the adversaries on both sides were impeccable in this regard. I would urge Dr. Katz that he



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need not indulge any disinclination to write angry letters to public officials. It is good for us. But could he keep in mind Melbourne's celebrated comment on Macaulay?* And Orwell's dictum that there is always room for one more custard pie!

■ Dear Senator Moynahan:

Thank you for sending me the material regarding the debate concerning the nomination of Dr. Carol Iannone for the Council of the National Endowment for the Humanities. I did, indeed, find it of interest for a number of reasons.

You and I disagree on a number of aspects of this particular nomination. However, I think that we share a common concern for the importance of the humanities in the intellectual life of our nation and also for the importance of creating and maintaining an atmosphere of cooperation rather than conflict between the two major national institutions of the humanities, the National Endowment for the Humanities and the American Council of Learned Societies. I certainly regret the tone of much of the debate about the nomination of Dr. Iannone, but it reflects the growing adversarial relationship between these two great intellectual institutions.

I hope that something can be done to improve the atmosphere at this crucial time. As the chair of the Delegates' Executive Committee of the American Council of Learned Societies, I intend to have this important matter placed on the agenda of our fall meeting. I would welcome any further observations or information that you would like to share with the Executive Committee.

Sincerely,
John O. Voll
Department of History
University of New Hampshire
Durham, N.H.

■ Dear Professor Voll:

How very generous of you to respond to the rather abrupt note enclosing my exchange, if you will, with Dr. Katz. I am glad you found it of interest. But I don't quite follow your reference to the ACLS and the National Endowment as "these two great intellectual institutions." The National Endowment an intellectual institution? I should have thought it a grant-making agency of the Federal Government.

On another matter, as an historian you will know the vexation of getting texts right, and I am sure you will not mind my pointing out that our family name is spelled Moynihan, not Moynahan. The name, of course, is an Anglicized version of the Middle Gaelic for Munsterman. The "ni" is an onomatopoeized variant on the conjunctive joinder: "ni," as to rise up. Hence, the West's Awake. These distant relatives appear to have been attractive sorts, more adventurous than warlike, unlike the common run of that time.

It is known that one Padraec

*"I wish I were as cocksure about anything as Tom Macaulay is about everything."

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Humphregh Moynihan (c. 1320–?) was among the earliest to sail a stone boat to North America. Here in Delaware County, once a sheep-growing area and heavily Scots, the farmers refer to the flat wooden platform on which stones are dragged from newly plowed fields as a "stone boat." Some, mind I say some, regard this as a racial memory of those ancient vessels, which, of course, have disappeared with the advent first of the wooden, now the iron, hull. The latter are relatively leak proof, the great one advantage of stone boats, but also lighter and more spacious.

The Moynahans, of course, were sheep stealers.

Most sincerely,
Daniel Patrick Moynihan

Joseph Fletcher, R I P

ALL TOO HUMAN

If situation ethics is based on love, why has it made our situation worse?

RICHARD JOHN NEUHAUS

JOSEPH F. FLETCHER died the other day. Most Americans will not recognize the name, but they live under the influence. The heading of the obituary in our parish newspaper called him a "pioneer in the field of medical ethics." He was that, and much more. With the publication of *Situation Ethics* in 1966, he became a lasting point of reference in the sundry moral revolutions with which our times have been favored.

Fletcher was a very progressive man throughout his 86 years. Our political culture is only now catching up with the merits of active euthanasia, a cause he championed forty years ago. We are probably still not ready, not quite ready, for the forced sterilization of those whom we deem unfit to procreate. Fletcher's wife of sixty years, Forrest Hatfield, worked closely with Margaret Sanger, patron saint of Planned Parenthood, and he shared fully their enthusiasm for ridding us of the burden of the genetic bearers of social parasitism. In matters moral, Fletcher had little patience with general rules derived from reason or revelation. As for tradition, the word was synonymous with obsolescence. Situation ethics meant that one should "do the loving thing" in the situation at hand. In only slightly vulgarized form this was taken to mean "do your own thing," since most people think that what they love to do is the loving thing to do.

While teaching at an Episcopal seminary in the 1960s, Fletcher publicly renounced his belief in God and declared himself to be a secular humanist. Thinking that this might raise some question about his relationship to the Church and the priesthood, he told the dean that he could no longer preach or officiate at services. Not to worry, said the dean, hoping that this was but a passing phase. The phase lasted until Fletcher's death. He never did resign his ministry, nor was he asked to. "Joe saw the Church as a useful institution for advancing his views," explains a close friend of Fletcher's. Anglicanism prides itself on being inclusive; Fletcher's superiors seemed to see no reason why atheism, too, should not be fairly represented among its clergy.

Good Intentions

JOSEPH FLETCHER was in many ways a nineteenth-century man. Like so many social reformers—John Dewey being the paradigmatic figure—he was born into a very Protestant society and spent a lifetime drawing on its taken-for-granted moral capital. Social reform in America has always been only one step away from the Protestant pulpit, and in Fletcher's case it was one step in the pulpit. To be progressive was to rebel against an assumed moral establishment, while continuing to assume that that establishment would provide the habits of virtue that would prevent liberation from turning into libertinism. *Situation Ethics* is redolent with the confidence that almost everybody is pretty much like Joe Fletcher—fundamentally decent, ever so enlightened, eminently reasonable, and eager to do the right thing. With a candor more common in the last century, Fletcher could talk about the genetic corruption of the lower orders, but he apparently gave little thought to the corruption of the will among right-thinking people like himself.

Thirty years ago, the new profession of "biomedical ethicist" had scarcely been heard of. Now such professionals staff the Moral Permissions Office in almost every medical research center and university in the country. They are anguish experts who certify that it is "an agonizing decision" before they hand the technicians a permission slip for doing what the technicians were going to do anyway. Fletcher, however, was not big on the anguish. Abortion, fetal transplants, euthanasia, genetic engineering—the world was filled with new frontiers to be crossed.

Fletcher, who lived a personal life of impeccable probity, would have been appalled by the suggestion that he had helped construct the trap of rutting, sloth, and violence in which the urban underclass is caught. But, whatever its truth in economics, the trickle-down theory surely applies to ideas, and especially ideas about morality. In his last years, Fletcher deplored the moral sleaze of a culture that acted on the doctrine that he championed: it's right if it's right for you.

Neglecting the human will, Fletcher was blind to the human propensity for evil. Assuming that the Protestantism into which he was born had an inexhaustible supply of moral capital, Fletcher did not reckon with the consequences of bankruptcy.

Joseph F. Fletcher. Most Americans will not recognize the name. But we all, directly or indirectly, live under the influence. □

Father Neuhaus is Editor-in-Chief of First Things, *a monthly journal on religion and public life.*

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Power and Principle

CHRISTOPHER M. GACEK

IN his classic history *The Congress of Vienna*, Sir Harold Nicolson, the British statesman and author, repeats Prince Metternich's self-assessment: "I am bad at skirmishes, but I am good at campaigns." Determination in the face of opposition is one of the qualities that great actors on the international stage, whether persons or nations, must possess in order to alter the course of world events. In our time, Jeane Kirkpatrick was such a political figure—one who recognized that politics is a struggle to impose one's values and ideas on the international system. It is a struggle that never ceases, that takes place on many levels, and that, despite diplomacy's politeness and blandishments, is founded on mankind's most savage instincts. To succeed in this arena, one must be good at campaigns, not just skirmishes.

To our good fortune, we now have a highly readable account of Mrs. Kirkpatrick's tenure as the permanent U.S. representative to the United Nations. Allan Gerson's *The Kirkpatrick Mission* is important not only for the insight it delivers into the character and political thought of a crucial figure in the first Reagan Administration, but also because it offers real reflection on the constraints on American foreign policy and, for that matter, the foreign policies of all states.

The Kirkpatrick Mission: Diplomacy without Apology, by Allan Gerson (Free Press, 291 pp., $22.95)

Mr. Gerson offers an exciting and rare account of the manner in which international law affects the conduct of foreign policy: that is, how precedents cited to justify actions in one case often return to haunt the nation that adduced them. There are excellent chapters on the efforts to amend the Geneva Conventions of 1949 in ways beneficial to terrorists, the legal arguments for the Grenada operation, the World Court's consideration of Nicaragua's complaint against the U.S., the rights of the PLO observer mission in New York City, and the legal requirements of the U.S. to pay UN assessments. Each case betters our understanding of the impact that legal issues have on foreign policy.

Alice Mooney

Mr. Gerson served as counsel to Jeane Kirkpatrick during her tenure as head of the U.S. mission to the UN, from 1981 through 1984. His work for Ambassador Kirkpatrick focused primarily on providing her with accurate legal advice that she could use privately to counter the often biased legal positions of her opponents inside the government, and publicly to attack the arguments of America's opposition at the UN. As Gerson makes all too clear, the legal advisors in the State Department and the U.S. mission to the UN could not be trusted to provide President Reagan's advisors with policy options that would sustain the President's foreign-policy philosophy. On the contrary, the State Department's legal office could be counted upon to use its authority as the foremost international legal advisor in the U.S. Government to obstruct policies of which it did not approve.

Mr. Gerson lucidly recounts Mrs. Kirkpatrick's policy recommendations, and the successes that occasionally followed, but he also describes with brutal clarity how tenuous her power was. Ultimately, power is closely bound up with personal relationships: a person with little support from those with power has no power. Mrs. Kirkpatrick's power rested on the respect Ronald Reagan had for her. The presence of Judge William Clark as National Security Advisor gave her easy access to President Reagan. When Clark was purged in October 1983 by the Deaver–Baker–Shultz faction and replaced by Bud McFarlane, conservatives like Jeane Kirkpatrick were handed an important defeat. Another avenue to Ronald Reagan had been cut off.

So in the battle with the extremely hostile State Department bureaucracy, Mrs. Kirkpatrick had lost a centrally placed ally. As Mr. Gerson assesses the situation, "It became clear that with Bill Clark out, and Bud McFarlane . . . in, her influence at the White House peaked." Bud McFarlane, he notes, was so weak that he would never be able to stand up to George Shultz. Mrs. Kirkpatrick had hoped to succeed Judge Clark, and a conservative effort was launched to secure the post for her. But the opposition to her candidacy was too strong, and from that point it was only a matter of time until she left her ambassadorial post.

Upon taking the UN job, Mrs. Kirkpatrick was advised that the UN was not a serious place and that what transpired there should be ignored by great powers like the United States. She, and Allan Gerson, rejected that position, convinced it was based on the false premises that bilateral relations are the locus of international negotiations and that public multilateral diplomacy counts for little. In fact, a woman of ideas like Jeane Kirkpatrick could see that the UN is, in a sense, the foremost international diplomatic stage. It is where arguments are publicly made and must be answered.

Mr. Gacek is the Heritage Foundation's United Nations analyst.

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These arguments can be like the big lie that "Zionism is a form of racism and racial discrimination," or they can be reasoned arguments about the use of force in the Persian Gulf. In any case, the rise of modern telecommunications accentuates the importance of public argument of the sort that takes place at the UN. For warriors like Jeane Kirkpatrick and Allan Gerson the battle must be joined. The international contest will not come to a halt in our absence, and our exit from the public arena could allow the powerfully constraining instruments of international law to be altered in ways that would damage our interests. The U.S., Gerson argues, must never lose sight of the fact that the UN and international law are merely different means used in the struggle of world politics.

This book takes the UN seriously. It forces us to think about how the UN and international law will influence our lives in a world in which the cold war and the dominance of national-security concerns are no longer the most prominent features of the relations between states. □

A Look at the Files

RALPH DE TOLEDANO

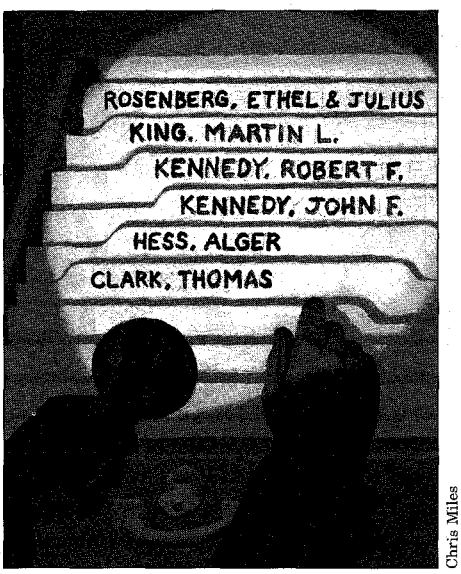
IN a tasteless account of the death of John Edgar Hoover, Curt Gentry writes: "Gus Hall, general secretary of the Communist Party USA—an organization which some felt only Hall and Hoover took seriously—called the late FBI director 'a servant of racism, reaction, and repression' and a 'political pervert whose masochistic [*sic*] passion drove him to savage assaults upon the principles of the Bill of Rights.'"

This is very close to the theme and approach of *J. Edgar Hoover: The Man and the Secrets*—a book described in the jacket blurb as "shocking, grim, frightening, and darkly comic." Shocking it is, though not in the way that Gentry's publishers mean, and darkly comic from the moment that Gentry characterizes Hoover's death as "unprecedented"—isn't everyone's?—and refers to the IWW as the "*International* Workers of the World"—a mistake made by high-school freshmen. In the 846 pages of text, notes, and index, Gentry convicts himself of every crime and peccadillo he ascribes to his subject. He has assembled every rumor, criticism, attack, and fiction about his subject in a *genre* perfected by Kitty Kelley: the bio-smear.

J. Edgar Hoover: The Man and the Secrets, by Curt Gentry (Norton, 846 pp., $29.95)

Mr. Toledano, a longtime NR *contributor, is a syndicated columnist and author of 19 books.*

Much of this bio-smear details the contents of Hoover's "private files," which Gentry assumes existed and spends many pages "proving" were destroyed. An unnamed Justice Department official described them as "12 drawers of political cancer," so he too must have had powers of divination. One wonders how the "paranoid," publicity-seeking, blackmailing, power-hungry, unstable, and sexually weird individual described here could have taken the corrupt and grossly inefficient Bureau of Investigation—its name was changed to Federal Bureau of Investigation in 1935—and converted it into what has been universally acknowledged as the world's greatest investigative agency. Hoover has been faulted for not tolerating sloppiness or irregularities in the Bureau, and of being a tough boss—all true. That his agents sometimes stepped over the line of strict observance of legal niceties is also true—but this usually happened with the consent and sometimes at the urging of Attorneys General and Presidents. And certainly, whatever transgressions there were in this area, they do not compare with those of the FBI's counterparts (MI-5, for instance) in other democratic countries.



Chris Miles

The legend has Hoover driving thousands to their graves and keeping every President since FDR and the entire Justice Department quaking in their boots for fear of "revelations." The facts were otherwise. To cite but one example: The FBI had in its files proof that Harry S Truman's Attorney General Tom Clark had accepted a $10,000 bribe from the syndicate. Yet Clark successfully blocked FBI investigations and thumbed his nose at J. Edgar. The "all-powerful" FBI director did not prevail when Clark, playing Democratic Party politics, flushed away the FBI's careful and solid investigation of the *Amerasia* spy case involving the theft of 1,700 highly classified government documents, dropped indictments against three of the six defendants, and sent his attorneys into court to argue that the other three had acted out of "journalistic zeal."

One of the most shameful episodes in Gentry's book is his smear of Roger Baldwin, founder of the American Civil Liberties Union, and Morris Ernst, the nation's leading civil-liberties lawyer, by charging that they defended Hoover and the FBI out of malign and self-serving motives. Equally shameful is Gentry's dignifying of quotations from *Mafiosi* on the subject of Hoover's alleged homosexuality, although Gentry himself had earlier made a half-hearted concession that these allegations were false. Nowhere does he inform us that in the 1950s the *New York Post* spent a reported $500,000 trying to prove that Hoover was homosexual, and finally gave up in despair.

Gentry even tries valiantly to tie Hoover to Harry Daugherty and the Teapot Dome scandal. He takes exception to vice investigations conducted by the FBI and quotes Senator Claude Pepper, then known to his colleagues as "Red Pepper" for his support of Communist causes, as moaning that the investigations were "infringing on

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states' rights." J. Edgar Hoover is made to seem reprehensible because he refused to tap James A. Farley's phone after FDR turned on him. John L. Lewis, then playing footsie with the Communists, accused Hoover of investigating him at the behest of FDR, which Roosevelt branded a "damned lie." Gentry picks it up without offering the least scrap of evidence.

Though Gentry has only contempt for the House Un-American Activities Committee, he castigates Hoover for opposing its chairman, Martin Dies. Gentry, however, cannot make up his mind as to who was responsible for "setting up the machinery" to "smear thousands of Americans"; most of the blame falls on Hoover, but at some points he blames FDR and Attorney General Robert Jackson. Elizabeth Bentley, whose every statement susceptible of proof on Soviet infiltration of the U.S. Government stood up, is dismissed as "an obvious hysteric."

Gentry's account of the Hiss case is a Mickey Mouse sequence in which the testimony of Whittaker Chambers is thoroughly garbled, with implications of an FBI frame-up and veiled sugges-

RANDOM NOTES

■ One day back in May 1970, two students met in Harvard Yard. *Look, Mike*, Grant Ujifusa said to Michael Barone, *all these people are protesting the invasion of Cambodia. If they're to have any real effect on policy, they'll need a guide to the politicians who make policy. We should do an almanac.* Mr. Ujifusa, who went on to work at some of our better book publishers and is now a *Reader's Digest* senior editor, mentioned his new idea to Mr. Barone, whose future would include stops at the *Washington Post* and *U.S. News & World Report*, because when they first met and Mr. Ujifusa mentioned he was from Worland, Wyoming, Mr. Barone, who hails from Michigan, said, "Oh yes, that's at the western terminus of U.S. 16, isn't it?"

Indeed, Mr. Barone, who wrote just about every word in the 1,500-page 1992 edition of the biennial *Almanac of American Politics*, has always been "a detail guy." He had come across Worland while poring over the atlas in the family encyclopedia. Mr. Barone recently described to me the moment when—at age eight—he first discovered the pleasure of demographics: "I studied the results of the 1950 Census, and found it fascinating to look at the changes in population from city to city—who'd gained, who'd lost." That fascination, unabated, has now taken him into 425 of the United States' 435 congressional districts. The *Almanac*, now in its 11th edition, is the manifestation of a lifelong obsession that has made Mr. Barone a walking, talking gazetteer. As his introductory essay in the new volume shows, he's a first-rate political thinker as well.

This essay, "Americans at Work," must be causing some gnashing of teeth inside the Beltway. For an author—and a book—with leftish roots, the essay's sentiments are decidedly counter-intuitive. Even if the Eighties actually were a Decade of Greed, Mr. Barone argues, the Milkens and the Boeskys worked *awfully hard*.

> The combination of hard work and hustle has changed the American economy, made it perform more flexibly and with a suppleness that, at the beginning of the 1980s, almost no one forecast. It takes some imagination to recall that the consensus outlook of most economists was for continued stagnation; we were a "zero-sum society," doomed to perpetual stagflation. . . . Only Ronald Reagan among major figures promised economic growth, and few sophisticates took him seriously.

Don't assume, however, that Mr. Barone is any sort of conservative: neo, paleo, or crypto. He's not. He's some sort of centrist out to prove that common sense should play a more active role in political discourse, and I can think of no book that rewards its readers with a surer grasp of political reality than the *Almanac*.

The lead essay is followed by a recap of recent political history ("Politicians at Work") that includes a prospective look at the '92 presidential race. Then come the fifty state listings: analytical mini-bios of governor, senators, and representatives, with profiles of the state *and* of each congressional district. The New York section is poignant. "The last decade or so should have been wonderful years for New York," he writes. "Instead they have only been good years, and the century may end poorly . . ." Mr. Barone describes the ultra-liberal 17th District. "On stylishly affluent Columbus Avenue" (where the Literary Editor resides)

> . . . or in the glittering Village, it is hard now to see oneself as part of an oppressed proletariat. As restaurant-goers become couch potatoes and liberated young people start to contemplate the implications of mortality, it becomes apparent that their most dangerous enemies are not others with different lifestyles but, like Pogo's, themselves.

Obviously, the analytical mind at work here sees more than just raw demographic detail.

The book is fat; its price tall: $44.95 for the *paperback*! Who pays that much for a book? People who need it. People who want it. Mr. Barone suspects these are groups of about equal size. The needy, in this case, are, first, Washingtonians, congressional staffers and lobbyists; and, second, journalists who cover Capitol politics for tabloids and glossies from newsrooms across the land. Back in 1982, before the book became affiliated with *National Journal*, the Times-Mirror weekly that covers every aspect of "the world's largest business—the United States Government," the *Almanac* was just $16.95. Clearly, National Journal Inc. knows something about those twenty thousand or so folks in the "need it" group, which is simply that 45 smackers is nothing to pay for a work whose elegant utility makes it indispensable.

Indeed, the book's a bargain for the rest of us too. With the data come priceless insights. Just a couple of examples: Speaking of the *Kulturkampf*, Mr. Barone observes that issues such as abortion "burn all the more because Americans, so busy at work, pay little attention most of the time to politics . . . The corollary to this is that when they do pay attention, their opinions change sharply and quickly, almost without notice." And on the Vice President in 1992: "Those who think George Bush will drop Quayle might also consider whether he will divorce his wife. Both are theoretically possible; neither is likely."

Mr. Barone was in King of Prussia, Pennsylvania, a few weeks back, nosing around the shops, the churches; looking for the indicators of commercial and spiritual development. No doubt he found them, and they will illuminate both the 1994 profile of the Pennsylvania 13th and his readers' political savvy.

—Brad Miner

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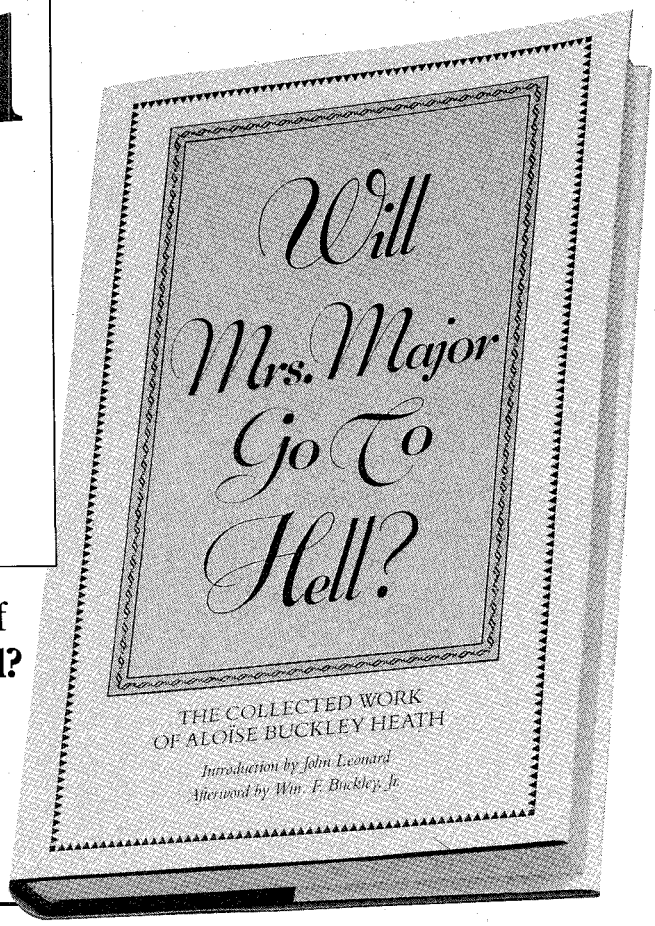
Will Mrs. Major Go To Hell?
THE COLLECTED WORK OF ALOÏSE BUCKLEY HEATH
Introduction by John Leonard
Afterword by Wm. F. Buckley, Jr.

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...and we honestly can't remember when we've seen a more tender, poignant collection of stories. The late Aloïse Buckley Heath (William F. Buckley Jr.'s sister) wrote some absolutely priceless things about her own family, and the early days of *National Review*, plus some marvelously funny satirical observations on our contemporary habits and institutions.

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tions that Alger Hiss was innocent. Hoover is blamed for the death sentence imposed on the Rosenbergs, and Gentry makes the astonishing allegation that in the trial no evidence was adduced linking Ethel to atomic espionage. Don Whitehead, a respected AP reporter who wrote the best-selling *The FBI Story*, is made to look like what Stalin used to call a "prostitute of the pen"—and there are some snide remarks about Bennett Cerf, president of Random House, and Henry Holt, whose association with the publishing house bearing his name had terminated many years before the activities ascribed to him took place.

Then there are the frequent hints of Hoover's "racism," meant to explain his interest in Martin Luther King. In fact, it is a matter of record that the Kennedy brothers were deeply worried over King's alliance with two Communist apparatchiks. Fearing this would become public, Jack and Bobby pressured King to break off the political relationship, and King repeatedly promised that he would. When Bobby discovered that King continued to meet with the Communist underground, he ordered a demurring Hoover to employ electronic surveillance. Hoover did so, but only after he had gotten Bobby to put his order in writing. As we know, Bobby later denied all of this, forcing Hoover to release the written order, which silenced Bobby for at least five minutes.

Source notes and bibliography take up some 65 pages of this effort. Gentry even quotes from my book on Hoover, *J. Edgar Hoover: The Man in His Times*, though about matters of no consequence. But when we get right down to it, this collection of rumor, smear, conjecture, and dark comedy relies primarily on interviews with William Sullivan, booted out of the FBI by Hoover for just cause, and with others of similar reliability, and on books such as Max Lowenthal's *The Federal Bureau of Investigation*, a work of fiction written at the behest of Harry S Truman.

As to Curt Gentry's own fictional efforts, it should be noted that, unlike most writers on John Edgar Hoover and the FBI, Gentry relies exclusively on clippings, magazine articles, books, and gossip. He was never on the scene, never spoke to most of the principals in his book, and would probably get lost trying to find the FBI building on Pennsylvania Avenue. His knowledge of the events he deals with is usually third- and fourth-hand. This does not disqualify him, but it would have helped if just once he showed that he knew what he was writing about. □

The Road Home

JAMES COMO

NO sudden "plunge into a new life," Warren Lewis wrote of his brother Jack's conversion, "but rather a slow steady convalescence from a deep-seated spiritual illness of long standing." In his "spiritual autobiography," *Surprised by Joy*, Lewis described that convalescence, an account that begins with the devastating death of his remarkable mother and ends with his conversion proper, first to theism, then to Christianity. He did indeed include much that qualifies as "spiritual illness" but not all, omitting "one huge and complex episode" about which he would steadfastly refuse to speak (even with Warren) for the rest of his life. His diary—incompletely, to be sure, and often disingenuously—at last narrows that gap, showing us more thoroughly and graphically than any other source just what it was that Lewis converted, or recovered, *from*.

All My Road before Me: The Diary of C. S. Lewis, 1922–1927, edited by Walter Hooper, foreword by Owen Barfield (Harcourt Brace, 508 pp., $24.95)

Before shipping out to the trenches of the Great War, Lewis and his bunkmate, Paddy Moore, swore a reciprocal vow: If one were killed, the survivor would care for the dead friend's family. Lewis was already well acquainted with, and quite fond of, Paddy's mother and his young sister, Maureen, who overheard the vow and is the source of our knowledge of it. When Paddy was killed, Lewis set up a household with Mrs. Moore (with whom he had stayed occasionally before the war) near Oxford, where he was an undergraduate at University College. Lewis's father, Albert, quizzically aware of his son's friendship with a woman in her late forties, knew nothing of the household, believing his son to be in residence at his college, as required by university regulations.

During the preceding years Lewis had grown apart, then become estranged, from his father, who was nevertheless the unwitting chief benefactor of this ménage. Lewis's diary comments on the earnest Albert (whom he dreaded visiting at the family home in Belfast) are the most distasteful he ever wrote, especially when contrasted with those on the domineering Mrs. Moore, who was "so anxious not to influence" Lewis and "hates a lie above all things." It is likely, too, that the Moore–Lewis liaison was sexual at its origin, as Walter Hooper cogently argues in his introduction (so cogently that one gets the idea Hooper knows more than he is able to say). Whether or not the presumed sexual intimacy recurred during the years of the diary (Mrs. Moore was fifty years old in 1922) is for the reader to decide. (My guess is that it did, for a time.) In any event, the household is a settled affair when the diary opens; it, not Belfast, is "home" to Lewis. And Mrs. Moore, who urged her unenthusiastic consort to keep the diary in the first place, is its primary audience. Lewis regularly read it aloud to her.

We have only a fourth of what Mrs. Moore heard, but it is a provocative, amusing, sometimes gripping, and always interesting (though not uniformly engaging) fourth. Hooper's transitional commentary is elegant and adroit, his notes often compelling, and his Biographical Appendix indispensable. The thread of arresting and indefatigable intellect, foreshadowing not only greatness but specific themes (and even specific passages) in Lewis's later writing, intertwined with the threads of prolonged adolescence, quotidian busyness (often to the point of frenzy), and what would later prove to be settled habit (much talking and

Mr. Como teaches speech and rhetoric at York College in New York City and is editor of C. S. Lewis at the Breakfast Table and Other Reminiscences.

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walking)—all these, in Hooper's editing, make for a seamless fabric.

From the man who is not yet the "converted pagan living among apostate Puritans" that he would later become, we learn that a reminder of Maureen Moore's first Holy Communion "somehow emphasized the dreariness of this most UNcomfortable [*sic*] sacrament," that her Confirmation was like "the slaughtering of a pig," that he had "never sunk so low" in combat as to pray, and that he was relieved to learn that a certain Price (who beat him out of more than one fellowship) was not "the beetle-faced Jew" with whom Lewis had confused him. No wonder Lewis was beset by both recurring headaches and unsettling dreams—about his mother, an arranged marriage, and his blasphemous response; about attempted stabbings, during which he "behaved like the prig hero of an adventure story"; and about "aesthetes of Satanic sneer," one of whom he converted.

But as Hooper has it in his introduction, "life is more richly textured—or as Lewis would put it, 'thicker'—than we expect it to be. . . . [W]e and all the 'ordinary people' we meet and know are many things at once, full of shading and nuance." The young Clive Staples Lewis was a hardworking and generous man; we see him laying linoleum, providing hundreds of hours of free tutoring (amidst occasional penury), sitting up with a friend who, for two weeks before his eventual death, became a raving lunatic, helping to rescue a young neighbor whose parents horribly abused her. His reading is catholic—some Freud (with real interest in psychoanalysis) and Havelock Ellis, much Chesterton—and his mind largely open (except on Christianity and women; but on the latter his bark is very much worse than his bite).

More than anything else Lewis wanted to be a poet; and as much as anything else this diary is about the writing of the narrative poem *Dymer*, wherein, as Lewis put it, "a man . . . on some mysterious bride begets a monster: which monster, as soon as it has killed its father, becomes a god." One need not be guilty of what Barfield calls "over-elaborated psychologism *à la mode*, our twentieth-century rococo" to assemble the pieces of prematurely dying mother, alienated father, the multi-purpose Mrs.

AKTUELLES, KULTUR UND SCHLAGER!

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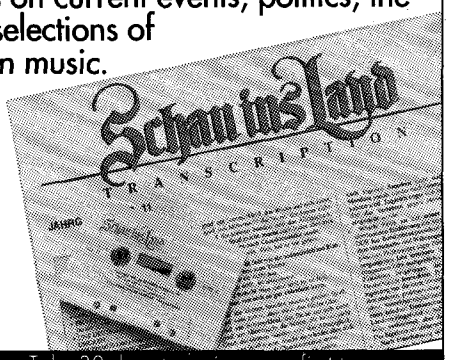

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Moore (mother surrogate, pretend wife, instrument of punishment upon God/father, who allowed the death of mother), and benumbed spirituality. Chronology bears out the paradigm. Lewis took up with Mrs. Moore shortly after the publication of his cycle of lyrical poems, *Spirits in Bondage*; very shortly after the publication of *Dymer* Albert Lewis died; and within two years Lewis converted.

Was he, as Barfield has suggested, "emerging from the husk of his previous immaturity"? Not entirely, I think; rather he was hounded (as Lewis put it), then liberated, becoming what Hooper has called "the most thoroughly converted man" he has ever met. In *All My Road before Me* (the title is from *Dymer*) Lewis is lost; this revealing and central document shows us, among many things, just how lost. And Hooper makes exactly the right point: "This story may have begun in self-indulgence, cynicism and sin, but it ended as an enduring exemplum of Christian charity—and of Divine Economy." □

MUSIC

The Clever Life

RICHARD BROOKHISER

IN THE centennial year of Cole Porter's birth, I wanted to hear him played, not by someone who was cashing in on the calendar, but by someone who has played him year in and year out because he enjoys him and knows how to play him well. So I went to hear Bobby Short at the Café Carlyle on Madison Avenue.

Short made his entrance to a long roll on the drums, twenty minutes late. He is a short, plain man, balding, with a snub nose and a sandpaper rasp to his voice. He majors in the golden age of American popular song, from the Twenties to the Fifties, as do most dinner singers. But his repertoire extends beyond the standards to tunes on flip sides, tunes buried in second acts of Broadway shows, tunes dropped from Broadway shows in Boston or Philadelphia. He knows when they were written and who first sang them, and imparts the information in his introductions as if he were a *Grove's Dictionary* of popular music.

Short's sets always include a cluster of songs by Cole Porter. Of the three he did tonight, two were bravura joshing. "I'm Throwing a Ball Tonight," introduced by Ethel Merman in *Panama Hattie* (1940), was like fast-forwarding through old Walter Winchell broadcasts.

I invited Wendell Willkie,
I invited FDR,
And for photographs,
I asked the staffs
Of Life, Look, Peek, Pic, Snap, Click, *and* Harper's Bazaar.

"How's Your Romance?" from *Gay Divorce* (1932) was not topical, but no less clever.

In Italia *the* signori *are so very amatory*
That their passion, a priori, *is* l'amor.
And from Napoli to Pisa, ev'ry man has on his knees a
Little private Mona Lisa to adore.

The stars of the show, Short explained when he finished, had been Fred Astaire and Claire Luce—("*not* Clare Boothe Luce"). "For the film," Short went on, "they did two or three interesting things, I thought. They found another blonde girl, Ginger Rogers. The Censorship Board thought the title made divorce too attractive to the American public, so it was changed to *The Gay Divorcee*. And, what was unforgivable, they threw out all of Cole Porter's songs, except this one." And then he slipped, as if through a hidden door, into "Night and Day," skipping the "beat beat beat of the tom-tom" of the verse, and stepping directly into the passion of the refrain. As he sang, the spotlight narrowed to his head and shoulders, and the rest of the room sank into hurricane-lamp-lit dusk; old couples, and not-so-old (none were young), held hands.

Two manners, two kinds of songs. It is easy to understand, from his life, how Cole Porter managed to catch

Mr. Brookhiser, an NR *Senior Editor, is the author of* The Way of the WASP.

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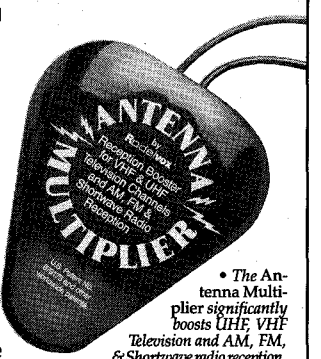

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the mood of the first world—affected, witty, fashionable. Understanding how he plugged into the second world, of seriousness and held hands, is not so easy.

Porter was born in Peru, Indiana, only two generations after the first white man's log cabin went up there. His father was a druggist, and a cipher; his mother had the will in the family. *Her* father had the money, invested in Appalachian timberland, which turned out to be laden with gas and coal.

Propelled by his grandfather's cash and his mother's ambitions (she had his first juvenile compositions printed privately), Porter determined to say good-bye to all that. Said it, at first, unsuccessfully. As a freshman at Yale, "in a checked suit and a salmon tie, with his hair parted in the middle and slicked down," he looked, one Yalie later recalled, "just like a Westerner all dressed up for the East." Maybe he looked so to the last; the carnation he always wore in his buttonhole suggests the anxious dapperness of the ex-rube.

However anxious he felt, from the beginning of his musical career Porter was a hit with the elite: first at Yale (where they still sing two of his football fight songs), then among the expatriates of Twenties Europe. The musical historian Robert Kimball thought Porter's years in Europe gave him the perspective of the lost generation. But it was the lost generation of Dick Diver, not of Gertrude Stein—of the idle rich, not the idle bohemians. Porter had augmented his own means by marrying an older divorcee whose ex had settled over a million dollars of stocks on her. ("He covered them with useful things, / Such as bonds, and stocks, and Paris frocks, / And Oriental pearls in strings."—"Two Little Babes in the Woods.") They lived up to their incomes: when Porter wrote a song about a Jewish factory girl for Fanny Brice, he first played it for her on a grand piano in the ballroom of the Venetian palazzo he was renting. As Lucius Beebe observed, it was "the simple things of life which give pleasure to Mr. Porter—half-million-dollar strings of pearls, Isotta motor cars, cases of double bottles of Grand Chambertin '87, suites at Claridge's, brief trips aboard the *Bremen*, a little grouse shooting."

Although the Porters were attached

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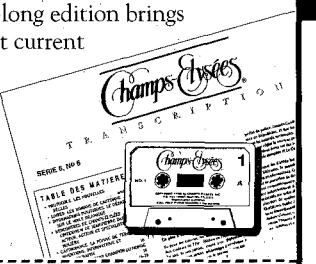

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NIKA HAZELTON
DELECTATIONS

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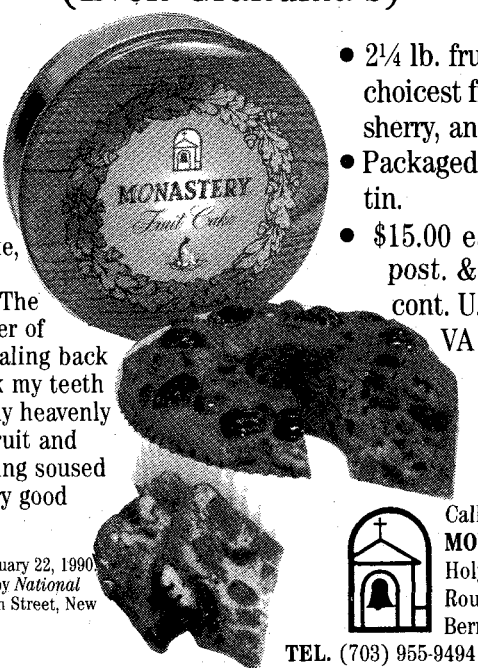

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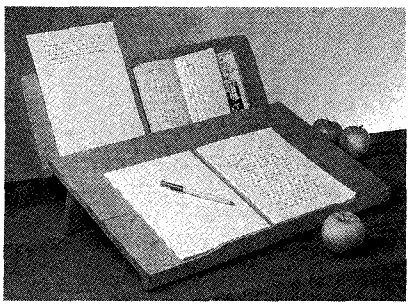

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to each other, their relationship was not sexual, for Porter was gay. "You've never been laid till you've been laid by a man who knows the ropes," he once told Moss Hart. And laying and getting laid seems to have been what gayness amounted to for him. Porter cruised bars and waterfronts for sailors all his life, or called for prostitutes. Depression rates, according to his biographer Charles Schwartz, were ten dollars for a white man, five dollars for a black.

Charm was a lubricant of Porter's life even more important than money. The pattern was fixed as early as Yale, where, although he hated athletics, Porter managed to run with the jocks by being a cheerleader. His looks were one instrument of his charm, and he tended them carefully: every morning, he dabbed his eyes with chilled witch hazel, to keep the skin taut. When charm failed, he deflated; he broke off conversations and left parties (including his own) the minute they bored him.

This life—busy, lively, bright as a globe and just as hollow—is obviously the soil from which he harvested the clever songs: the catalogues of famous names, and names now famous only because he catalogued them; the rhymes and rhythms that clack like pool balls; the in-jokes; the double entendres. Other songwriters spun lyrics as adroitly as Porter did; none packed them with such loads of public figures, foreign words, and guide-book destinations.

But then there are the Porter standards about love and longing, which are as direct in their utterance as Irving Berlin, or Handel.

In the roaring traffic's boom,
In the silence of my lonely room,
I think of you . . .

How did the playboy write them?

He had, it is true, a craftsman's earnestness. Hart testified to Porter's "prodigious and unending industry. He worked around the clock." Porter liked to boast about the time he had spent studying composition and theory at the Schola Cantorum in Paris. He boasted a bit much, in fact, for he had to rely on the services of arrangers throughout his career. But he oversaw their work carefully. He also paid particular attention to the ranges and the limitations of the singers for whom he wrote; *Gay Divorcee* did not force Fred Astaire to skate on the thin ice of his high notes.

But if hard work is necessary to express passion, it is not sufficient. Passion itself must be present. It is certainly present, as an end-product, in numbers of the songs. Sometimes it throbs in the black and white of the lyrics, even when the lyrics are unlikely. "You're the Top," a catalogue to end all catalogues, breaks into passion by sheer exuberance. After the tenth or twelfth metaphor—Mahatma Gandhi, Napoleon brandy, the Arrow collar, the Coolidge dollar—the glittering superlatives fade into the act of finding superlatives. The song of admiration which seemed like an excuse to be witty actually turns out to be admiring. Sometimes the music carries an

Alan Nahigian

emotional charge even when the words do not. "I Get a Kick out of You" looks on the printed page like a product of the clever life; love is equated with kicks, and one of the things the singer gets no kick from, besides "champagne," is "cocaine"; for years, records altered this to "a bop-type refrain" or "the perfumes of Spain," and sheet music still does. But once the words are fused to the languorous melody, the wit becomes gallantry of an affecting, almost bashful, sort, and we notice the heart behind the lounge lizard's carnation.

What Porter's passions may have been are, with one exception, undiscoverable. Although it had a basis in convenience, and no basis in eros, Porter's marriage was not empty. He and his wife stayed together for 34 years, until her death at the age of seventy. For 16 of those years, she helped him deal with the effects of a riding acci-

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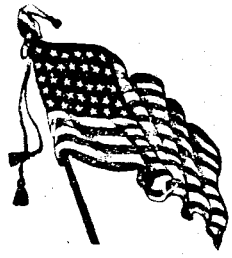

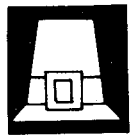
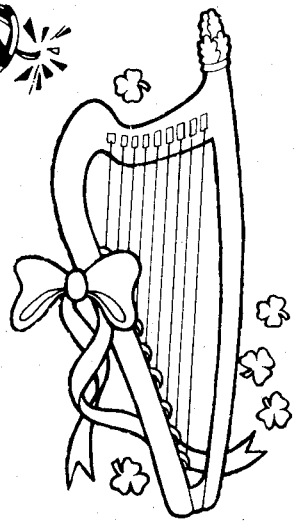

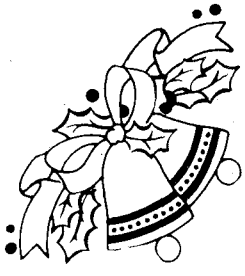
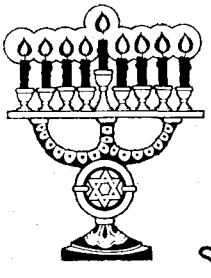

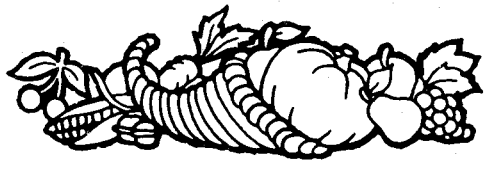
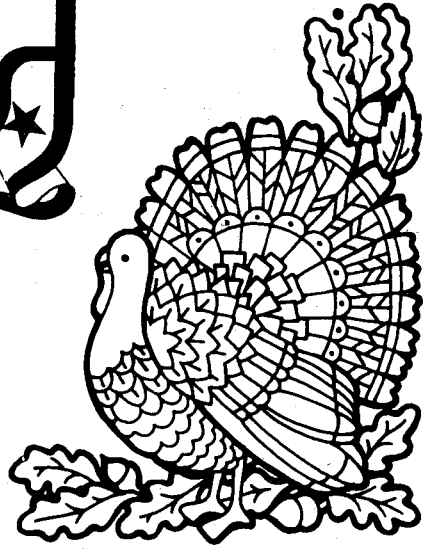

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dent which permanently crippled his right leg. In health, she supplied him with encouragement and security, much as his mother had done during his days in Peru. It is of course an irony that the life of the cosmopolite should have revolved around something as all-American as motherhood. Perhaps Porter appreciated it.

The rest is silence. Maybe there was no "rest"—no other emotions which Porter drew on for his emotional numbers. Maybe, by the alchemy of the psyche and the creative process, mother-love produced "Begin the Beguine" and "Every Time We Say Good-bye"—though those are not sentiments typically found on Mother's Day cards. Maybe the passion of the songs existed only in the songs, and only in the songwriter as he wrote them: an emotional exo-skeleton, like the shell of a crab.

At least shells last. In a hundred years, the emotional lives of all of us at the Café Carlyle will be as lost as Cole Porter's. Some of us will have left benchmarks in records of marriages contracted, or children reared—unreliable benchmarks, since couples and families can lead lives as coldly empty as those of promiscuous narcissists. Porter left several dozen tunes—which our successors will use, as we used them, to mark occasions in their own emotional lives.

As we made our way out, I saw that the crowd collected at the door for the 11:30 show was a bit younger: a woman in a shoulderless black evening dress, which her companion was slipping further down her shoulders; another woman with a small diamond set in the skin of her right nostril. So, both sides of Short's talent—and Cole Porter's—would be appreciated. □

DELECTATIONS

Ingredients for Disaster

DIGBY ANDERSON

WHAT TO DO when your hosts give you salad at the beginning of dinner? Leave immediately. The same with soup.

I mean, of course, either green salad or those dreadful hotchpotch salads with tomato, lettuce, bean sprouts, alfalfa, kidney beans, sweet corn (considered cattle food in France), and a thousand and one other things, all dripping in any dressing except olive oil and wine vinegar, topped with packet pseudo-croutons and served in children's bowls. And by "soup" I mean minestrone, tomato, or those weird whitish ones which taste the same when they are supposed to be chicken as when they are called clam chowder. I do not mean bouillabaisse or zarzuela, which aren't soups in the same sense at all, or first courses using "salad" ingredients: *tonno e fagioli* with raw purple onions; anchovies, basil, and tomato; or even authentic "composed" dishes such as *salade Niçoise* with tomatoes, grated carrot, eggs, tuna, anchovies, potatoes, and olives.

Mr. Anderson is food columnist for The Spectator *(London), and the author of* The Spectator Book of Imperative Cooking.

But why leave? The soups and hotchpotch salads are not that unpleasant (though the dressings are), just very dull. And the green salads can even be enjoyable. Why not endure them until a better course arrives? Because it won't. Anyone who serves these soups and salads at the start of dinner will serve worse things later and anyway will turn out to be a gastronomic subversive of little taste and no manners, a person seething with black ingratitude toward his Maker and his ancestors.

I exaggerate? Consider "subversive" first. The proper place for green salad is after the fish and meat and before dessert and cheese. It is not difficult to make, so there is little excuse for a badly made green salad. But there is *no* excuse for serving it in the wrong place. This order was established by our betters. To change it is to subvert order. The next thing a subversive will do is start serving fruit with salad at the beginning of a meal or declaring that courses don't matter and why not bring it all on and let each guest help himself in the order he prefers?

But, second, and much more important, anyone who thinks dishes should be tolerated on the grounds that they are bearably dull and not positively offensive has failed to understand what eating in meals, orderly meals in courses, is all about.

This is crucial, so let me spell it out slowly: it is wrong to start dinner with dull salads and soups because every time you do so you are rejecting 120 other splendid dishes with which you could have started. Take two letters of the alphabet at random, A and S. Every time Shirley and Martin serve their guests dull salad or soup, they are preventing them from eating: aubergines roasted, peeled, and mashed with olive oil and garlic, or in beignets, or in ratatouille, or with mozzarella and parmesan; anchovies in pastry or stuffed with spinach or with oil and dried chilis; artichokes

Katherine Trunk

with melted butter or oil; asparagus with vinaigrette, with tarragon-flavored cream, in pastry, or with ham; all manner of aspic dishes—do you begin to see the point?—shrimp fried in olive oil or with brandy; salt herrings; sardines opened, flattened, and done with tomato in the oven; sea urchins; scallops; shark marinated in vinegar and fried in slivers; salsify in lemon and oil; salmon roe, raw with lemon. Every time someone bends over the soup tureen with the ladle, he turns his back on all the assorted charcuterie of France, her salamis and those of Italy and Spain, Serrano hams, salted and smoked meats and fishes, and all shellfish—the oysters, mussels, lobsters, crabs, the wonderful squid and other cephalapod dishes—and the tens of recipes for land snails, not just those cooked in rather tedious Burgundy fashion but in tomato or al-

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mond sauces, or with anchovies and pine nuts.

The moment the host thrusts his vulgar chrome and glass tongs into the hotchpotch salad and tosses it to ensure no one shall escape his ghastly sweet dressing, he throws back in his Maker's face all the best things of creation and spits on the traditions which much better men than he worked to perfect. Once he has started on this path of black ingratitude, arrogance, and vile contempt for excellence, it is but a short pace to that condition which is logical consequence and last result of such vices—vegetarianism.

Are you beginning to understand the enormity of the offense? Then look at its awful ramifications. They are worse. It is not just a matter of a dull course. It is the central problem of how to fit all the good dishes there are into the few meals and courses we have. A trawl of the better cookbooks will reveal, as I say, more than 120 first courses no serious cook or gastronome would want to go without for more than a few months, somewhat over a hundred fish courses, and well over two hundred meat, game, and poultry. Then there are vegetable dishes, egg dishes, pastas, risottos, salads (in their right place), cheeses, desserts. Many of them I could not go even weeks without. Can you imagine having eels only six times a year or waiting three months between kidneys?

It is this dread predicament which galvanizes every good cook. His imagination, his every effort, his recipes, courses, and meals are driven by the burning necessity to cram in as many good things as possible during our brief spell on this earth. And yet here is this ladle-lout, this tong-toter, taking up a whole course—not only his but his guests's, a course they will never have again—with dull soup or salad.

At least there is a positive lesson in it all for the conservative cook. Before you surge back into the kitchen eager to turn out the next dinner, shouldn't you take a little time for reflection? In awe of and gratitude for all the wonderful things given us to eat and the treasury of traditional ways to prepare them, sit down—better, kneel—and methodically make a list of all the best dishes so that none is forgotten or, worse, elbowed out by dull soup and salad. □

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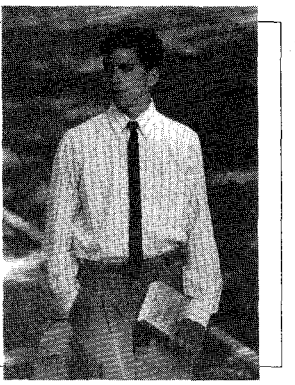

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Urban Plight, Slightly Varnished

JOHN SIMON

TERRENCE McNALLY's play *Frankie and Johnny in the Clair de Lune* was a slightly specious but not unlikable piece about the awkward, fumbling mating of a waitress and a short-order cook. For the movies, McNally had to open up his play and deintellectualize it; not that it was very highbrow to begin with. Most of the opera and music stuff had to go; "Clair de lune," with which Johnny woos Frankie, was allowed to survive, albeit not in the title. It is amazing that McNally was even permitted to be his own adapter, an assignment of which he acquitted himself with skill, though it must have hurt to cut some of his favorite things. On the other hand, he was able to write in a homosexual neighbor of Frankie's and his boyfriend, stuff that he is equally fond of.

With two superstars, Michelle Pfeiffer and Al Pacino, in the leads, a slick ex-television director at the helm, some pretty fancy production values, and all sorts of extra characters and plot elements thrown in, the Clair-deluneless ***Frankie & Johnny*** (that trendy ampersand again!) is a very different, but still surprisingly palatable, kettle of fish. We have known McNally as the writer of clever, even bitchy comedies (I'm not complaining; they were funny even when, on occasion, I was the butt of their jokes), but we have not known him as the canny updater of the vintage screwball comedies. If McNally is allowed to continue in this mode—he is much more sophisticated than those writers, some uncredited, who concocted Garry Marshall's previous directorial hit, *Pretty Woman*—we all stand to be enriched.

Of course, there is some cheating here on Marshall's part. Johnny ought to be played by a younger and less well-known actor than Pacino. There is something a bit topheavy about the star's presence and performance. Johnny, now with a prison past, broods a bit too much; when, with supposed lightheartedness but actual dogged determination, he showers Frankie with amorous declarations and advances, it begins to look more like harassment than whimsy and young love. The gaze with which Pacino fixes the object of his desire is perilously close to that with which a Rod Steiger or Anthony Hopkins mesmerizes his intended victim; and the growls with which Pacino registers passion are not that far removed from those with which the cavemen in *The Quest for Fire* approached their females from the rear.

Michelle Pfeiffer is one of the prettiest actresses around, and casting her as a hashhouse waitress in New York, where she might readily have come to make it on the stage (as, in real life, she did), is a rather extreme example of cinematic license. Yet so serious an actress has Miss Pfeiffer become that she allows her clothes, her hairdo, her makeup—everything about her—to be toned down to ordinariness. That alone, however, wouldn't do it if her performance did not corroborate Frankie's unremarkableness. The script provides her with two previous unhappy involvements to justify her intense aloofness and sexual reluctance, but even that somewhat tired ploy wouldn't help much if Miss Pfeiffer's acting did not display hitherto only hinted-at depths.

There is sturdy supporting work from Hector Elizondo, Nathan Lane, and, above all, Kate Nelligan, who here abandons the genteel roles she has been known for and plays Cora—a trashy, randy fellow waitress of Frankie's—with a great deal of gusto and suasion. As the farcical sadsack among the waitresses, Jane Morris lays it on a bit too thick, but no doubt that is what the director wanted. Note the triteness with which he directs the sequences of love in bloom, where he shoots Frankie and Johnny's feet in closeup, with New York's pigeons weaving between them—or is it the feet weaving between the pigeons? Either way, it's cloying.

But the proof of the pudding is that you really root for these two to make

(Continues on page 61)

Mr. Simon, NR's film critic, is also theater critic for New York *magazine.*

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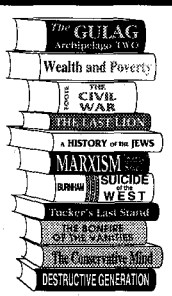

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TRANS-Ó-GRAM / Kem Putney

1 U	2 E	■	3 B	4 H	5 N	■	6 F	7 R	8 M	9 K	10 G	11 L	12 C	■	13 V	14 I	15 A	16 J	17 Q	■
18 D	19 O	20 E	21 U	■	22 I	■	23 G	24 V	25 F	■	26 B	27 H	28 P	29 C	30 Q	31 U	32 A	33 D	34 M	35 V
■	36 E	37 H	■	38 K	39 L	40 V	41 Q	42 N	■	43 I	44 G	45 R	46 S	47 O	48 H	■	49 P	50 U	51 V	52 M
■	53 F	■	54 J	55 T	56 R	57 E	■	58 C	59 B	■	60 B	61 L	62 U	63 S	■	64 I	65 A	66 D	■	67 Q
68 H	69 R	70 V	71 B	72 F	■	73 J	74 H	■	75 L	76 E	77 C	78 G	79 A	■	80 H	81 T	82 U	83 G	■	84 E
85 L	86 A	87 I	88 M	■	89 P	90 D	91 B	92 O	■	93 S	94 H	95 U	96 B	97 G	98 R	■	99 F	100B	■	101B
102M	103O	104I	105K	■	106N	107L	108P	109F	■	110G	111N	■	112Q	113P	114T	■	115K	116V	117F	118B
119I	120O	■	121C	122H	■	123S	124Q	125R	126N	127B	■	128J	129C	130M	131D	■	132M	133P	134I	135K
■	136E	137V	■	138E	139B	■	140N	■	141B	142D	143E	144G	145L	146K	147H	148J	149O	■	150M	151G
152Q	153J	154F	■	155N	■	156R	157I	158L	159D	160Q	■	161R	162H	163P	164F	■	165C	166P	167V	168D
169M	170A	171E	172B	■	173C	174U	175G	176O	■	177C	178G	179N	180O	181L	182I	183U	184A	185H	186D	187T

DEFINITIONS

A. Construction worker (colloq.) — 65 86 170 15 79 32 184

B. Foreign Service officer's goal — 118 71 101 91 100 139 3 60 59 26 / 172 127 96 141

C. One type of indignation — 165 29 12 129 58 177 121 77 173

D. Georgetown abode — 159 142 18 33 90 186 168 131 66

E. Can't read the writing on the wall? — 138 57 143 136 36 171 76 84 20 2

F. Charles Bronson flick (2 words) — 6 109 53 164 154 25 99 72 117

G. Doctor's first task — 83 178 97 175 10 44 151 78 144 110 / 23

H. Incumbent — 80 122 74 185 147 94 162 37 68 48 / 27 4

I. Layering process — 119 22 134 87 182 157 64 43 14 104

J. Northern capital — 73 153 128 148 54 16

K. Gravy variety — 105 146 115 9 135 38

L. Repeating — 158 145 61 39 107 75 181 11 85

M. Sitting Bull was one — 34 52 169 102 150 132 8 130 88

N. Solemn curse — 140 111 179 126 42 5 106 155

O. Three score and ten, Biblically speaking — 149 103 120 176 92 19 180 47

P. Bandaged — 28 49 163 89 113 166 108

Q. Purity — 67 160 124 30 112 152 41 17

R. Doomed from the start (2 words) — 125 98 56 156 69 161 7 45

S. Enlighten — 46 93 133 123 63

T. Diamond number — 187 55 81 114

U. Jack Nicholson flick — 82 21 50 95 183 31 174 1 62

V. Proper social behavior — 116 51 70 167 40 35 137 13 24

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's New International Dictionary*, Second Edition. **See page 60 for solution to last Trans-O-Gram.**

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Solution to Last Issue's Trans-O-Gram

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SIMON

(Continued from page 58)

it together—almost as much as you would root for a Mirabell and Millamant in a good stage production of *The Way of the World*. And the way of our world it is, give or take an occasional phony touch. Take the cute way, when Frankie finally consents, in which the lovers brush and brush their teeth as Frankie negotiates a tough and wary compact—again rather like Millamant. The brushing goes on and on; attacked this robustiously, gums might succumb as easily to oral hygiene as to gross neglect.

■ Gus Van Sant Jr. made a fine, small, dark, honest movie with *Drugstore Cowboy*, where, however, the film was based on someone else's writing. In ***My Own Private Idaho***, he is both writer and director, and gives us an unbridled homosexual fantasy that has no logic, no credibility, and much unfortunate pretentiousness. And, on top of that, sentimentality.

This is the story of two young male hustlers in America's Northwest: Mike Waters, a genuine drifter and derelict, who suffers from narcolepsy and is haunted by memories of his lost childhood; and Scott Favor, son of the mayor of Portland, a rich bisexual in the hustler's life for a lark—someday he will straighten out and probably become mayor like his father. The two of them become friends for a while; there is also a fat, elderly, drunken homosexual, Bob Pigeon, with whom they get involved in a petty crime. It soon becomes clear that they are, respectively, Hotspur, Prince Hal, and Falstaff from Shakespeare's *Henry IV*, Parts 1 & 2. Sometimes the dialogue actually switches into speeches taken over verbatim from Shakespeare.

Poor Gus Van Sant! During a press conference, he told us that male hustlers are really sweet, romantic creatures underneath. I believe in sweet, romantic male hustlers as I believe in the whore with the golden heart, who is the mother of them all. A great homosexual artist can make us accept that myth—Jean Genet almost carries it off, and so, perhaps, might Jean Cocteau have done, had he been less devious. But self-taught, sentimental Van Sant is the dupe of his primitivism. He is, however, honest, and admits that he had never known the Henry plays until he encountered them in Orson Welles's *Chimes at Midnight*; he was so impressed that he started a screenplay that would be an updating of them. But he also wrote a screenplay about male hustlers cruising in Boise, Portland, and Seattle; eventually the two scripts fused into *My Own Private Idaho*.

Needless to say, neither Shakespeare's ideas nor his language can be made to apply to Van Sant's present-day hustlers, and the parallels pressed on the plot are much too vague and unresonant to come across as anything but the vagaries of a cultural parvenu. To give you an inkling of the arbitrariness of the script, let me say that Mike decides, out of nowhere, to visit his long-lost mother. So he and Scott ride off on a stolen bike to the obscure Idaho hotel where she last worked. They find an Italian forwarding address, and, presto magico, they're in Rome, mingling with their local colleagues. (Clearly Van Sant wanted a free trip to Italy.)

We next see them on an Italian farm; the owner is absent, and his 14- or 15-year-old niece seems to be running things by herself(!); Mike's mother used to be there (why?), but is gone or dead. Scott promptly turns heterosexual and has lusty sex with the girl, whom he takes back to America to marry. Poor Mike is left hustling for himself again. We last see him, during an episode of narcolepsy, being stripped of his very clothes by some steal-and-run drivers on that same two-lane blacktop in Idaho where he fell asleep at the start of the film. (Good thing there isn't much traffic on those Idaho roads.)

To make it more modish, the movie is divided into largely disconnected chapters, each with its heading on a title card. The photography is pretty in a self-conscious way, and the lead actors—Keanu Reeves (Scott) and especially River Phoenix (Mike)—are fine. But this kind of filmmaking, to quote *Henry IV*, Part 1, "Loses men's hearts, and leaves behind a stain." □

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Paralysis In Government

NEW YORK, NOVEMBER 4

The talk is of anger among voters. They confront persistent unemployment, economic stagnation, intimidating interest rates—and a sensation of being stranded in a society that has always taken it for granted that every generation will be better off than the preceding generation. "Couéism," this was called in the Twenties, after the buoyant Frenchman Emile Coué, who became famous for the rhetorical upper, "Every day, in every way, things are getting better and better." The trouble is, they aren't.

Now Jimmy Carter, a couple of years before he was sent home, in an effort to discover what was wrong with America, spoke about a certain "malaise." To the end of dissipating this disease he brought into Camp David helicopter-loads of intellectuals and heavy thinkers who told him just what he had to do in order to lose the next election to Ronald Reagan. Mr. Reagan greatly revived the spirit of the American people as also, a vital point, the spirit of the enslaved peoples of Eastern Europe.

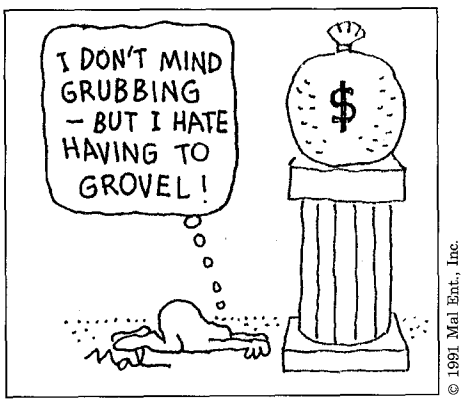
But notwithstanding our spectacular successes in the rest of the world, the feeling at home is of immobility. The charts tell us that in one year, the number of Americans who would like to limit the terms of elected officials has risen from 56 per cent to 68.

Here is a bellwether point. Everybody, from every American class, deplores and resents the S&L scandals. Democratic populists denounce the S&Ls as evidence of yet more Republican Greed. Anybody who takes a half-hour to look into the problem, which excludes practically everybody, finds a) that the cause of those scandals is the $100,000 guarantee to any depositor against loss; and b) that that guarantee was instituted under the Carter Administration.

But the question arises: Why has it not been revoked? Why doesn't Congress, before Thanksgiving, say, reduce that $100,000 to, say, $10,000—which serves the purpose of guaranteeing deposits of the small and innocent player, but deprives the money-brokers of finding safe sanctuaries for heavy deposits and encouraging artificial interest rates by S&Ls looking for these deposits?

Consider a field utterly unrelated. The Democratic candidates for President making their initial pleas in New Hampshire over the weekend said time and again that the progressive impoverishment of the individual states is the result of the Federal Government's refusing to shoulder expenses originally accepted by the Federal Government. Question: Assuming that the Federal Government had continued to assume all those burdens, where is the Federal Government going to get the money to finance these programs? Of course—from American citizens, paying taxes. What does it matter to the citizen of New Hampshire that he is paying taxes through the local government rather than through the Federal Government?

Move now into an entirely different area. It torments the likes of *New York Times* columnist Anthony Lewis that libel suits continue to yield enormous judgments. This is so also of medical malpractice suits. The results are: serious obstacles in the way of free speech, and swollen insurance fees charged to physicians. These you cannot blame on Congress, since jury awards are a matter of state law. So why do not state governments act? Why do they not impose the cost of litigation on the loser, thereby increasing the appetite for conciliation and diminishing opportunistic litigation? And why doesn't Congress, where it has jurisdiction, impose a limit on jury verdicts designed to liberate the medical profession and its patients?



If ever it can be said that a question has been probed, and the direction to a better situation indicated, it is in the matter of public education. But the movement toward choice in schooling is mired down in ideological zeal and bureaucratic inertia. Parents whose dream is that their children will improve their lot through education sit by hopelessly, year after year, as the vested interests stake out their claim to guarantee universal illiteracy as an American right.

Congress's approval is down to 16 per cent. It could remedy this by simply *acting*. If things continue in the way they are now headed, congresspersons will soon become laypersons, urging their successors not to make the mistakes they made. □

The David Duke Problem

NEW YORK, OCTOBER 30

The problem before the house is David Duke, who faces now a runoff with Edwin W. Edwards, a former governor who suffers under many disadvantages, among them that he was once indicted for several felonious acts, and people can't be quite sure that this amiable Democrat is honest.

How to Treat David Duke never seemed much of a problem until just now. The way to treat him, surely, was as a sometime wizard of the Ku Klux Klan. A fellow-traveler of Nazism. Someone, in a word, who belongs in Coventry, not in the State House in Baton Rouge.

That's the way some people would like to treat him; indeed some prefer more aggressive fare. The columnist Mike Royko is an example. He publicly complained, early in the week, that Mr. Duke was treated on a television exchange other than with a machete. He wished his "friend Mortie" had been there. "Mortie would have made a far better showing against ex-Nazi (and I wonder about the 'ex') Duke. Mortie might have said: 'So, you used to celebrate Hitler's birthday, huh, kid? And wear swastikas, and you said that Jews should be dumped in the ashbin of history? Well, I'm Jewish and I fought in the Marines in World War II, and I noticed you skipped Vietnam, and I can still do a hundred fast push-ups. So when the show's over, why don't we meet in a dark alley and I'll give you a reverse facelift, you two-bit fascist.'"

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That is the Jimmy Breslin/Archie Bunker school of exchange, and one has to admit it, it does cause the pulse to beat with a trace of exhilaration. There is nothing like barnyard language to purge one's baser thoughts about contemptible human beings, such as those who had ever been Nazi fellow-travelers.

But we have problems, do we not? Suppose he is elected governor of Louisiana. If David Duke is still in any palpable way a racist of the KKK stripe, let alone the Nazi stripe, then our problem becomes one of huge magnitude. We would need to admit that a majority of Americans, living in a democratic state with full access to everything from comic books to encyclopedias that inform them about the events in Hitler Germany, nevertheless chose to vote for a neo-Nazi. That would suggest that that Hitler-in-Ourselves about which so much has been written has actually surfaced in a sovereign American state. Whatever one thinks about Louisiana politics, one is reluctant to believe this. One explanation is that David Duke successfully conceals his genocidal leanings.

Perforce we need to explore other alternatives. And while we are at it, we need to ask how it is that we can come to terms with for instance the current leadership of the Soviet Union. Gorbachev studied law when Stalin was still alive, and Yeltsin was a member of the Politburo. In the last three years of the war in Afghanistan the Red Army, under Gorbachev's leadership, killed seven to eight hundred thousand civilians. There were 18 million members of the Communist Party as recently as a couple of years ago, and no thread, passing only from crypto-anti-Communist to crypto-anti-anti-Communist, is so nimble as to permit us, or for that matter, Russian liberals, from having to deal with many of these people in the years ahead. Yes. We will be dealing with—and partying with, and sharing burden with—people who were Stalinist Communists. How do we live with this problem? Doesn't Gorbachev, by the criteria of Mr. Royko, deserve at least one reverse facelift?

A final possibility is that just as we like to think Gorbachev has truly renounced the evil doctrines he was so recently associated with, so has David Duke. Gorbachev tells us in his book that although he is no longer a Communist, he is still a socialist. That is a very important step in the right direction, even if it doesn't take him as far as we would like to see him go. David Duke says he is no longer a Ku Kluxer, but he does believe that white people also have rights, and that statism is a curse, and that Judaeo-Christian values should be taught in the schools.

I would not vote for David Duke if I were a resident of Louisiana. But then I probably wouldn't have voted for Hugo Black for the Supreme Court when it was revealed that he had been a member of the Ku Klux Klan. I would however force myself to wonder whether I was being vindictive, and how far I would get with my static prejudices if I lived and worked in Russia. □

Invisible Hand, Meet Invisible Foot

NEW YORK, OCTOBER 28

I have during the past week explored exotic parts of the Antilles, but nowhere found anything to match the instruction and amusement of an overlooked essay. It is by Steven P. Magee, Professor of Finance at the University of Texas at Austin. The results of his researches should have been made available to Vice President Quayle when, last fall, he faced the annual convention of the American Bar Association and dared to say that our litigiousness was dragging down American productivity. That was the speech in which he reminded us that 70 per cent of all the lawyers in the entire world are American.

Along comes Professor Magee with his essay, which is a chapter in a volume published by the Cambridge University Press, titled *Black Hole Tariffs and Endogenous Policy Theory*. That title is enough to scare off just about everybody, but, patience. And bear in mind that Mr. Magee has the best sense of humor in the economic profession since Parkinson (of Parkinson's Law).

First, what is the Black Hole? In physics, a black hole is a region that swallows all matter within its gravitational pull. Professor Magee's economic equivalent of a black hole is a situation that has degraded to the point where no economic activity is productive.

We are then introduced to the Invisible Foot Theory. This is a charming play on Adam Smith's Invisible Hand Theory, which is the governing assumption behind capitalism, empirically verified by experience time and again. It says that when two or more people engage in commerce, provided their work is competitive and property is secure, an invisible hand assures that there shall be a rise in wealth and productivity. When Mrs. Brown exchanges her sweater for Mr. Gantry's pair of shoes, they both profit: they both prefer the situation after the exchange to the situation before the exchange. Otherwise, they would not have made the trade.

Well the Invisible Foot gets in the way of the Invisible Hand. Too many lawyers. Magee bases his claim in part on a statistical study of 34 countries in which the number of lawyers is plotted against the country's gross national product over a period of twenty years. The mathematical result shows a strong negative correlation between the number of lawyers and the relative strength of the economy. Countries with few lawyers per capita, such as Korea, Singapore, and Japan, have enjoyed a high GNP growth during the twenty-year period. Countries with many lawyers per capita, such as India, Chile, Nepal, and the United States, have had poorer GNP growth over the same period.

In effect, the economic black hole is self-feeding. Ultimately, everything of value metaphorically falls into itself and is annihilated. An example of a black hole on a limited scale is the inner-city ghetto, in which the predominant economic activity is criminal and in which the loss of property rights destroys any chance for growth. On a large scale, Magee points out that the number of lawyers and lobbyists exerting pressures on politicians in particular and the economy in general could eventually lead the entire U.S. economy into such a black hole. "The more you worry about the other side taking your money, the more lawyers and lobbyists you're going to hire for protection, and the more lawyers and lobbyists the other side is going to hire. It works just like an arms race."

At this point, Mr. Magee becomes playful. What is the solution to the problem of too many lawyers? Why, "a constitutional amendment that would prohibit the creation of new lawyers."

Elsewhere Professor Magee has written: "For the last twenty years, the most widely circulated academic theory about the stock market has been the 'efficient market theory.' The theory is simple: to know what the stock market will do tomorrow, you just toss a coin. If it comes up heads, the market will rise; if tails, it will fall. The theory has a 50 per cent success rate. . . . Unfortunately, the efficient-market theory cannot distinguish actual stock-price behavior from investments by a colony of baboons whose stock purchases are driven by serially uncorrelated hormone surges."

Never mind the Efficient Market Theory, the Invisible Foot will forever modify Adam Smith's Invisible Hand. □

(Universal Press Syndicate)

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Never, Ever Come Out Swinging

WELCOME to America the Mealymouthed. The most revealing moment in Anita Hill's Oktoberfest came when her supporter, Judge Susan Hoerchner, said in her mincing, teacher's-pet voice, "I have never known Anita to express anger." It was supposed to be a compliment.

Watching the hearings, it was hard to believe feminists had once urged women to get mad. Learning how to explode was the cornerstone of their early "consciousness-raising." Twenty years ago, when I lived next door to a feminist who conducted assertiveness-training workshops, my walls shook with bellows of "This steak is tough!" and "I demand to speak to the manager!" But feminists fell all over each other in their rush to excuse Anita Hill for not nipping Clarence Thomas's libido in the bud and telling him where to get off the very first time he allegedly talked dirty to her.

Their explanation? Womanly forbearance. Women don't *do* that sort of thing. Women swallow their pride and remain silent for fear of losing their jobs. Women meet aggression with salvos of forbearance and dire threats of "There's more forbearance where that came from," but they never, ever come out swinging.

It was not always thus. The Anita Hill in a popular Gay Nineties ballad was a waitress who could easily have lost her job when she lowered the boom on two traveling salesmen making suggestive remarks to her:

My mother was a lady,
Like yours, you will allow,
And you may have a sister
Who needs protection now.
I've come to this great city
To find a brother dear,
And you wouldn't dare insult
me, sir,
If Jack were only here!

That would never play in Mealymouthed America, where even laxatives are gentle. Today the spunky waitress would be called what we call everybody who shows the slightest propensity for lowering the boom: "out of control." It's the newest catchphrase, having sprung up around the same time as that softener for the declarative sentence: "Hey." Few Americans use declarative sentences now, but when they wish to express a strong opinion without appearing to do so, they kick off with "Hey" to achieve a tone of good-natured recalcitrance, as in George Bush's frequent, "Hey, I'm not against that." We also use "Hey" to soften other people's declarative sentences. If certain unequivocating authors, now dead, were to come back to life and tour their books, this is what we would hear:

"Ed, you've been pretty hard on the barbarians, but, hey, don't you think that extending the frontiers of the Empire gave the Romans a chance to meet new people?"

"Oswald, you said a lot of critical things about the West, but, hey, don't you think it's God's country?"

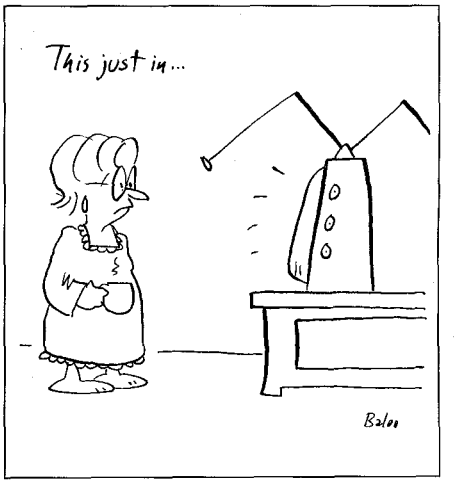
I submit that last month's sexual-harassment World Series was only incidentally about sexual harassment. It was actually about our national dread of getting mad and throwing a fit.

WE DREAD tempers for three reasons. The first has to do with the primacy of psychiatry in our national life, and the insidious potential danger it poses to us all. In a story about the reaction of the people of Utah to Senator Orrin Hatch's part in the Thomas–Hill hearings, *Washington Times* reporter Valerie Richardson quotes an anti-Hatch letter sent to the State Democratic Party by an Anita Hill partisan: "As Mr. Hatch's temper flared, his eyes glared, and his voice rose, he himself demonstrated he was the one mentally and emotionally disturbed."

There you have it. Don't get mad because "out of control" has joined the long list of American euphemisms. It means *crazy*, and if enough armchair psychiatrists pin the rose on you, people will believe it. The blood libel is out and the Rorschach libel is in.

The second reason is more fun than a barrel. Losing one's temper is undemocratic—really, it is. Think of sword fights and dueling oaks, think of the Southern hothead known as the "*beau sabreur*," think of the Southern belle. These people are not peasants because peasants don't have the kind of nostrils that "flare," nor do they carry the riding crops and walking sticks that help get things started.

Getting mad, really mad, is aristocratic, which is elitist, which is verboten. The American object of your un-American explosion will become what is now known as "shaken," because getting mad, really mad, is like using



"The FBI today uncovered a plot to pull George Bush's lips off."

"whom" in an offhand remark in the supermarket. When egalitarian American eyes are not smiling they are flashing inchoate and inarticulate alarm like heat lightning. A nostril-flaring explosion probably wouldn't help a victim of sexual harassment in today's political climate. A Southern-belle tantrum, properly thrown, used to bring a man to his knees, but it was class, not gender, that did the trick. Today, class is more of a damsel in distress than women ever were.

The third reason Americans dread loss of temper is simple. Hey, the country's on the brink of a civil war, and we're trying to delay it as long as possible. The Day the Niceness Stopped is fast approaching, but look on the bright side: At last I shall have been avant garde. —FLORENCE KING

Miss King is the author most recently of Lump It or Leave It *(St. Martin's).*

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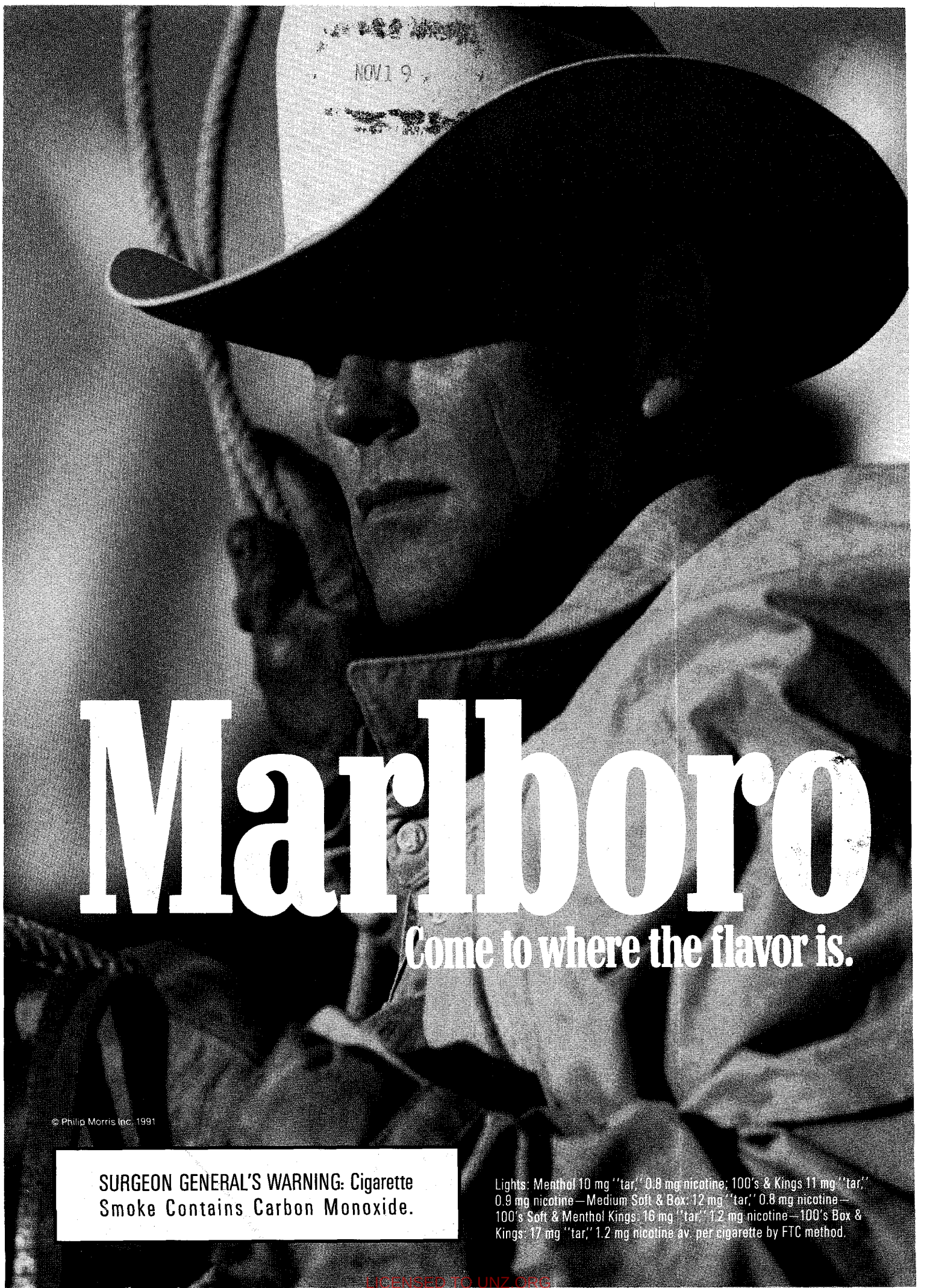
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